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MEMOIRS

OF

JOHN HORNE TOOKE,

INTERSPERSED WITH

ORIGINAL DOCUMENTS.

BY ALEXANDER STEPHENS, ESQ.

OF THE HONOURABLE SOCIETY OF THE MIDDLE TEMPLE.

IN TWO VOLUMES.

VOL. I.

—— "Nam divitiarum et formæ gloria fluxa
Atque fragilis est: virtus clara
Æternaque habetur."

SALL. BEL. CATALINAR. cap. 1.

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TO THE

EARL OF MOIRA, K. G.

GOVERNOR-GENERAL OF INDIA.

&c. &c. &c.

MY LORD,

I dedicate this work to you, merely because I know not of any other public man so worthy of my esteem.

Had your lordship, in conformity with the general wish, been occupied at this moment in directing the councils of that country, which your life, character, and talents have adorned, this address would have been withheld; for it might then have appeared to spring from the sordid calculations of interest, or the still meaner suggestions of adulation.

It is now only, when you are hastening, I trust, to confer blessings on millions,

627502

and about to vindicate the honour of the British name in the East, that I presume to inscribe this work to you, and beg leave to acknowledge myself,

My Lord,

Your Lordship's most obedient

and very humble servant,

THE AUTHOR.

PREFACE.

TO write the life of a person, against whom violent prejudices have long existed, and treat freely of one, as yet scarcely cold in his grave, is a task equally difficult and delicate. Yet memoirs, such as these, if composed with talents and fidelity, would contribute to rescue English biography from the charge of penury and partiality, on one hand, while, by laying open the secret springs of human action, on the other, they could not fail both to gratify and instruct mankind.

But if, unfortunately, the author does not possess such high pretensions to public attention, he, at least, hopes to be entitled to the humbler claims of candour and ingenuousness. It is his chief aim, on the present occasion, to rescue the name and character of a celebrated man from unmerited obloquy, and prove, not-

withstanding some apparent political eccentricities, that he was a true, able, and firm friend to the laws and liberties of his native country. But it is not intended to describe him as a "faultless monster," entirely exempt from all the passions, the frailties, and the failings, incident to humanity. He has not drawn an imaginary picture, but painted a portrait from the living subject. The ends of legitimate biography are best fulfilled, by avoiding unmerited censure on one hand, and unjust panegyric on the other.

The materials of this work consist of original letters and papers, some of which have been communicated by the family of the deceased, and others by his friends. A variety of incidents have been supplied in consequence of an acquaintance of several years duration; and of the various conversations, some were penned soon after they occurred, and others supplied from memory.

It cannot be denied, that the correspondence with Mr. Wilkes has, in some measure, become obsolete, by the lapse of

time; it was absolutely necessary, however, to introduce it, for the purposes of elucidation; but the speeches from the Hustings, ought assuredly to have been consigned to the Appendix. The letters between Mr. Horne Tooke and Junius require no apology, as they reflect equal honour on the head and heart of the former.

Those who may expect a work favourable either to the views or wishes of any religious sect, or political party, must be greatly disappointed; and it is to be hoped, that the most fastidious critic will be unable to discover any thing in these pages in the smallest degree hostile to religion, public morals, or the happy genius and peculiar nature of our free and admirable constitution.

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LIFE

OF

JOHN HORNE TOOKE.

CHAPTER I.

FROM 1736 TO 1765.

Of the Birth and Family of Mr. Horne—His Education and early Views—He obtains the Living of New Brentford—First Journey to France.

BOSSUET remarks, in the most useful but least popular of his works *, that the study of history appertains, in a peculiar manner, to princes. Plutarch, on the other hand, has demonstrated, by his own example, that biography is adapted to all ranks and conditions of life; and this position has been amply confirmed by the testimony of our own Bacon lord Verulam, than whom, a greater authority cannot be quoted, by a reference to any age or country.

* Discours sur l'Histoire Universelle, p. 1.

It is no unpromising symptom of the present times, that the latter still continues to be a popular pursuit, and forms, at this day, a favourite amusement with almost every description of readers: for we are told, by a writer whose very name is always pronounced with respect, that it was cultivated with zeal and diligence in the virtuous times of the Roman republic; but under the emperors first declined, and then fell into disuse *.

Different periods exhibit different models for this species of composition. As we approach the heroic ages, great, useful, and generous actions, constitute the chief features; while, in latter times, the splendour of birth and the pomp of fortune are generally invoked to give grace and dignity to the portrait. The ancients, as usual, seem to have been far more simple, chaste, and correct, in these particulars, than ourselves. The great biographer of Chæronea candidly confesses, that even Hercules himself was not altogether of divine extraction; he allows that the family of Themistocles was too obscure to confer distinction †; he admits, that Camillus, denominated "the second founder of Rome," was the first who brought the Furii into

* Tacit. Annal. † Plut. in Vit. Themis.

notice; while he frankly avows, that Cains Marius was the son of a peasant, and Phocion, the offspring of a turner. Of the two greatest orators that Greece and Rome ever witnessed, it has never been denied, that the father of the one was a sword-cutler at Athens, while that of the other is generally supposed to have been a fuller at Arpinum.

The moderns, on the contrary, evince a feverish sensibility in respect to birth and family: on this subject, they have generally sacrificed fidelity to vanity, and attributed a portion of that merit to genealogy, which strictly appertains to virtue alone. This bad taste appears to have been originally imbibed during the middle ages, when the small portion of wealth, talents, and knowledge, then called into existence, was confined to one small, privileged class. Accordingly, the heroes of chivalry and romance were always sure to dazzle by the lustre of their descent, which appeared still more brilliant, when superadded to the splendid achievements of remote progenitors. To approach nearer to our own days, their biographers, with some hesitation, and not until after having invoked the aid of *collateral gentility*, reluctantly acknowledge, that the tuneful Pope was the son of an obscure linen-draper; and that the father of the illus-

trious Milton had earned his bread as a humble money-scrivener. Even Benjamin Franklin himself, although in dress a Quaker, and in politics a republican, seems not a little solicitous about his descent, and is eager to deduce some trifling consequence from the original signification of his very name. It is only of late, and after the lapse of more than a century, we have been permitted to learn, that the mother of the Protector had been a brewer, at Huntingdon; and the grandmother of queen Anne a *tub-woman*, who carried beer about in the metropolis, before the introduction of drays!

The various orders of knighthood established throughout Europe, have also contributed not a little to encourage this propensity; while a college of arms has been erected in every polished state for the avowed purpose of perpetuating it. In this country, now that our heralds no longer make their periodical visitations, much, of course, is left to speculation; and the quarterings of a new family, are supposed to be to the full as vendible, as the carriage on which they are emblazoned.

But, notwithstanding the ominous aspect of public affairs, and the querulous disposition produced by the portentous times in which we live, it is not to be denied, that the situation of

mankind has, on the whole, been considerably meliorated; while new, as well as more liberal modes of thinking, have, of late, been gradually introduced. Riches and instruction are now more generally diffused; excellence, of every kind, entitles the fortunate possessor to the esteem of his contemporaries; while education, when extended to the higher branches of learning and science, seems actually to confer a species of nobility, which is only another term for distinction. Thanks, then, to the more generous notions of the present times! the adventitious aids of birth and fortune are no longer absolutely necessary to obtain respect. And a man of talents, like him, of whom we are about to treat, may contemplate the humble station of his forefathers, with the same noble contempt that Cicero did the *vetch* on the nose of his ancestor *, whence his family was ever after designated.

After these preliminary observations, I hasten, without hesitation, to relate, that John Horne, better known of late years by the appellation of

* Pliny supposes, that the person who first bore this name, originally derived it from a species of pulse (*cicer*) in the cultivation of which he had been employed. The Fabii, Lentuli, and Pisones, so illustrious in ancient history, also obtained their respective appellations from the humble esculents, *beans*, *tares*, and *peas*.

John Horne Tooke, was the son of a poulterer in Newport Market. He was born in Newport Street, Westminster, on the 25th of June, 1736, as appears from the register of the parish of St. Anne, Soho, and christened on the succeeding day; a circumstance which seems to indicate, either that his life had been in immediate jeopardy, or that he was of so puny and delicate a frame, as to render a speedy dissolution probable.

Mr. Horne, the father, whose name also was John, had a large family; and the following authentic account of his children, by Elizabeth his wife, has been communicated to me, by one of his descendants;—

1. Benjamin, the eldest son, settled at Brentford, in the county of Middlesex, where he acquired considerable wealth and eminence as a market-gardener, in what is technically termed the *fruit-line*. It was he who first introduced the pine-strawberry, from Saratoga, in North America, through the kind intervention of the earl of Shelburne, afterwards created marquis of Lansdowne. That nobleman, being greatly addicted to horticulture before he entered on the career of politics, and finding him an ingenious man, delighted in his conversation, and slept frequently at his house. On these occa-

sions, Mr. Benjamin Horne not only deemed himself highly honoured by the notice of a person of such distinction, but was also considerably benefited in consequence of the present just alluded to, and might have obtained a very large fortune from the exclusive monopoly of a fruit possessing such exquisite flavour and perfection, had not his grounds been repeatedly plundered by some of his neighbours, who thus risked all the rigours of the law, to procure a few *runners of the new sort*, and rival, as well as undersell him, at Covent Garden market. He died in the prime of life, after having acquired a very considerable property; and, leaving no children behind him, bequeathed his estate, both real and personal, to his immediate relatives.

2. Thomas, the second son, originally bred a fishmonger, afterwards followed his father's trade, as a poulterer, and succeeded him in the same shop and business. He is represented as a strong-minded man, but entirely regardless of his pecuniary concerns. Accordingly, he either lost or squandered the whole of his patrimony, and at length retired on an annuity of seventy pounds, left him by his elder brother; but, as this proved insufficient to support his extravagant course of life, he was admitted, and died

in the almshouses provided by the liberality of the company of fishmongers, for their decayed brethren.

3. John, the subject of these memoirs.

4. Mary, the eldest daughter, who was considered a beauty, married a wine-merchant in Argyle Street, familiarly known among his acquaintance by the appellation of "honest Tom Wildman;" he is frequently noticed in Mr. Wilkes's letters. His son, a very respectable and intelligent man, after occupying a place in the Custom House, during a period of more than thirty years, is now a brewer at Chelsea.

5. Sarah, who is still alive, married the late Dr. Demainbray, who formerly occupied an honourable and confidential situation about the person of the present king; assisted in his majesty's education, and was always treated with particular attention. He enjoyed a place in the Custom House of 1,500*l.* per annum; and his son, the rev. Stephen Demainbray, has, for many years, superintended the Royal Observatory at Kew.

6. Elizabeth, a woman of considerable wit and vivacity, became the wife of Mr. Clarke, a haberdasher, in Leicester Fields;

And, 7. Anne, the fourth daughter, who still survives, married Mr. Dicker, a colourman,

whose father was the tenant of the elder Mr. Horne, and lives on her fortune, which is said to be pretty considerable.

A tradition still exists in the family, that their ancestors possessed great wealth, and were settled on their own lands, at no great distance from the metropolis. A more ingenious biographer, by a plausible reference to county histories, might have been able, perhaps, to have traced their origin to a pretty remote period, and, with the aid of a little seasonable conjecture, it would have been easy to have ascertained the loss of the patrimonial estates during the wars between the rival Roses. Or the industry of a modern genealogist might have contrived, from the identity of names, in addition to some trivial and incidental circumstances, to have shed the lustre of episcopacy on their race, and, by means of Dr. George Horne, bishop of Norwich, reflected a borrowed renown on his new relatives. But such arts, even if allowable, are unnecessary here, for the Grammarian, who forms the subject of the present volumes, is fairly entitled to be considered as a *noun substantive*, whose character and consequence might be impaired, rather than increased, by the addition of any unnecessary adjunct.

I am enabled, however, without any viola-

tion of truth, to assert, that, notwithstanding the elder Mr. Horne reared and educated a family of seven children, he found means to acquire a considerable fortune, at the same time that he obtained a fair and honourable character for himself. At the solicitation of his wife, who is said to have been an amiable and benevolent woman, he became a liberal subscriber to the Middlesex Hospital; and such was his reputation for wealth and integrity, that he was elected the first treasurer of that excellent institution.

It will perhaps create a smile, when I add, that this worthy tradesman was not only a military man, but an officer; for his son once assured me, that he was honoured with a commission in the *Trained Bands,* and that he himself recollected to have accompanied his father part of the way to oppose the grandson of James II, who had then invaded Scotland. This, perhaps, is the identical "March to Finchley," ridiculed by a comic painter* of that day with more graphic wit than sterling patriotism. The event took place in 1746, when the subject of this memoir was only nine years old.

* The celebrated William Hogarth.

Nor ought another anecdote to be omitted in this place, as it exhibits a noble instance of English intrepidity; and it is not refining too much, perhaps, to suggest, that the spirited conduct of the father, in this particular instance, might have made an early and lasting impression on the mind of the son.

As Mr. Horne lived in Newport Street, he was of course a near neighbour to his royal highness Frederick prince of Wales, father to his present majesty, who then kept his court at Leicester House. Some of the officers of the household imagining that an outlet towards the market would be extremely convenient to them, as well as the inferior domestics, orders were immediately issued for this purpose. Accordingly, an adjoining wall was cut through, and a door placed in the opening, without any ceremony whatsoever, notwithstanding it was a palpable encroachment on, and violation of, the property of a private individual. In the midst of this operation, Mr. Horne appeared, and calmly remonstrated against so glaring an act of injustice, as the brick partition actually appertained to him, and the intended thoroughfare would lead through, and consequently depreciate the value of his premises.

It soon appeared, however, that the representations of a dealer in geese and turkies, although

backed by law and reason, had but little effect on those, who acted in the name, and, in this instance, abused the authority of a prince, who was probably unacquainted with the circumstances of the transaction.

On this, he appealed from "the insolence of office" to the justice of his country; and, to the honour of our municipal jurisprudence, the event proved different from what it would have been, perhaps, in any other kingdom of Europe: for a tradesman of Westminster triumphed over the heir-apparent of the English crown, and orders were soon after issued for the removal of the obnoxious door.

On this the plaintiff, who was greatly attached to the house of Hanover, and had been only anxious to vindicate his own insulted rights, immediately addressed a most respectful letter to the illustrious defendant in the late action, in which, after briefly recapitulating the facts, he stated that he had been actually forced into the suit by the improper conduct of his royal highness's servants, and that, having now taught them to respect private property, he was only solicitous, that no inconvenience might arise to the son of his sovereign; and therefore granted his leave for re-opening the disputed passage.

The prince was so much pleased with Mr.

Horne's conduct on this occasion, that a warrant was immediately issued, empowering him to supply his royal highness with poultry, and he accordingly acted for many years as purveyor to the household. It is extremely painful to add, that this did not prove a profitable adventure, for, by the sudden demise of the heir-apparent, and the disorder of his finances, in consequence of that melancholy event, a considerable arrear of debt accrued, which, at this day, amounts, including the interest, to several thousand pounds.

Meanwhile, John, the youngest and darling son, became the chief object of attention in the family. It appears from a paper*, originally written by himself, and now in my possession, that in 1743, being then in the seventh year of his age, he was sent to an academy in Soho Square. To this early removal, his parents were perhaps chiefly induced by the proximity of the school, which was a very respectable one; and it appears, from a variety of circumstances, that no reasonable expense was ever spared, in respect to education, by his father; while his mother, whose memory he tenderly cherished to the latest moment of his ex-

* See the Appendix.

istence, always treated him with unvarying kindness and affection.

In 1744, he was removed to Westminster School, but remained too short a time there to distinguish himself; for after the lapse of two years, he repaired to Eton. It is unnecessary here either to mention or particularize the many celebrated men educated at an institution, for which we are indebted to the munificence of a prince, termed, by the courtesy of modern poetry, "the holy Henry." It is sufficient to observe, that the names of George lord Lyttleton, and William Pitt, first earl of Chatham, had been inscribed but a few years before on the registers of this college; and that lord North, as yet unconscious of ambition, was harmlessly occupied, about this period, in praising the beauties of Laura and Lydia; in describing the golden locks of Clarissa, and comparing the graceful person of Phyllis with the mountain pine*. Among his immediate contemporaries, were sir James Macdonald, rendered remarkable by early talents and aspiring hopes, which were suddenly consigned to an untimely grave;

* Undique purpureis redolentes floribus hortos
Ut trepidans primo vere pererrat apis;
Hæc violam jactant, &c. (A. D. 1748.)
Mus. Eton., 1795, vol. i. p. i.

with Tighe, Pepys, &c., whose verses are still praised and remembered.

Soon after his departure, we find Fox, who seems to have commenced the career of life and of fame together, describing the charming scenery, with which he was surrounded*, and scattering classic garlands on the banks of the Thames; while the elegant Storer, and the correct Hare, were successfully supporting the high reputation of their *Alma Mater*. These were succeeded by a new race, all of whom have since occupied distinguished situations either in Europe or in Asia: a Canning, a Frere, a Wellesley, and a Wellington.

At this institution, young Horne appears to have spent five or six years of his life; but I have in vain searched the *Musæ Etonenses*, and taxed the memory of his oldest friends, for proofs of his proficiency, either in Greek or Latin versification, although the celebrated Dr. Sumner was head master from 1745 to 1754. This also appears to be precisely the case with

* Gentis amore Maro Latium canit: o mihi talis
Spiritus accedat; non minor urget amor:
Ut patriæ, (neque enim ingratus natalia rura
Præposui campis, mater Etona, tuis)
Ut patriæ carisque sodalibus, ut tibi dicam
Anglice supremum Quinctiliane vale.

Mus. Eton, ed. 1795, vol. i, p. 80.

Mr. Whitbread and lord Grey, who have since distinguished themselves in parliament; — the truth is, that talents are frequently elicited by fortunate circumstances, and the buds of genius, like those of the spring, are either disclosed or retarded, by the approach or the absence of a genial and benignant sun.

Failing in this attempt, another was made, to discover the early assiduity or precocious talents of the pupil, in any other branch of classical learning; so as, if possible, to point out, by anticipation in the boy, the favourite pursuits of the future man. From intelligence, however, that will not admit of contradiction, it appears evident, that the subject of this memoir was not much famed for industry at this period of his life; for although his capacity was even then discovered to be of a superior cast, yet he disliked labour; and it is a well known and well authenticated fact, that he was accustomed to employ boys of inferior talentsto prepare his tasks for him. He has since frequently acknowledged this, and was pleased, at a latter period of his life, to describe himself, in the language of his favourite Shakspeare, as

" ——— the whining school-boy with his satchel,
And shining morning-face, creeping like snail
Unwillingly to school."

Indeed, he has often ingenuously confessed, that he was but little addicted to study while a youth, and I have heard him, in his old age, take delight in narrating some of the pleasurable excursions of this period. He was accustomed to dwell with rapture on a visit made during the holidays to a French protestant family at Canterbury, on which occasion, he used to run along the walls of that ancient city, and play on the DANE, at that time a heap of rubbish, but since converted, by the munificence of one of the inhabitants, into a most delightful and charming retreat, covered with turf, and studded with trees of various hues. Even then, however, he appears to have been decorous in his behaviour, and to have entertained but little relish for the amusements incident to children of the same age.

It was about this time that he lost the sight of his right eye, a defect, which although visible for some years after, yet became wholly imperceptible after he had attained the age of manhood. This accident occurred during a struggle with some unlucky boy, who happened to have a knife in his hand, the point of which unhappily entered and lacerated that fine and delicate organ.

It was either during his convalescence, or in

the interval of a vacation, that a little adventure, communicated to me by his nephew, occurred, which appeared to evince, that the *future Grammarian* was developed at an early epoch. Having been sent, when no more than ten years of age, for a few weeks, to school, at a village in Kent, the boy was so much displeased at his reception, entertainment, or pursuits, that he determined to return home, as soon as possible, notwithstanding the distance was at least twenty-five miles. To prevent suspicion, he left the house without his hat, and took the road leading to the capital. On finding himself closely pursued by the pedagogue, and all his scholars, the truant took refuge in a summer-house, belonging to some gentleman in the neighbourhood, and, notwithstanding an early and unconquerable aversion to spiders, such was his resolution even at this period of his life, that he actually clambered up the chimney, where he concealed himself for some time, notwithstanding the strictest search on the part of the master; for his companions, who knew where he lurked, were determined, from a point of honour, not to discover him.

Having thus baffled his pursuer, the young adventurer once more reached the highway, and, without either covering to his head, or money

in his pocket, made directly for London, amidst a severe shower of rain.

Towards the evening, while crossing a common, he was overtaken by a peasant, who, compassionating his forlorn situation, immediately carried him home, and gave him shelter in his cottage; while his wife, perceiving his clothes drenched with wet, lent him a clean shirt belonging to one of her children, and placed his own to dry, by the fire.

After receiving some homely but wholesome fare, he was put to bed; early next morning, this kind hearted female prepared a breakfast for him; and a neighbouring gardener was easily prevailed upon, by the joint entreaties of this worthy pair, to carry him on the top of his waggon to town. While stopping to refresh the horses at a little hedge-alehouse, he heard some passengers describing "a little wicked boy, with a cast of his eye, who had run away during the preceding day from the boarding school of the worthy Mr. ****." No sooner did this very accurate description of himself reach his ear, than he immediately slunk into his straw, and never once held up his head, until he found himself in Covent Garden market!

Perceiving he was so near home, he immediately repaired thither, and presented himself

before his astonished parents, who had been given to understand, but a few days before, that he was making the most rapid improvement in his education; and of course fancied that he was both content and comfortable. On being sternly interrogated by his offended father, as to the cause of his elopement, he archly observed, "that his master was utterly unfit to instruct *him;* for although he might perhaps know what a noun or a verb was, yet he understood nothing about a preposition or conjunction; and so, finding him an ignorant fellow, he had contrived to leave him!"

It may not be unpleasant for the reader here to learn, that, a few years after, when this runaway had become a man, he unexpectedly received a visit from the poor woman who had administered to his comforts in his way to town, and, finding her situation far from being comfortable, he presented her with a sum of money, to relieve her immediate necessities, promising at the same time to make a more permanent provision. It will be seen, in the sequel, that he faithfully fulfilled this pledge, and that too at a period when his mind was distracted with care, and his finances not in the most flourishing condition.

While at Westminster and Eton, he was of

course accustomed to associate occasionally with the sons of people of distinction; and being aware of the ridicule too generally attached to a humble origin, he found means to spare himself from all mortifications of this kind, by calling in either his wit or invention to his aid. Once, while a few idle boys, who had formed themselves into a circle, were interrogating each other about the rank and condition of their respective parents; one said he was the son of Sir Robert A—; the next, that his father was the earl of B—; and the third, that his grandmother was the duchess of C—; when it came to young Horne's turn, he observed, "that he could not boast of any titles in his family;" and on being more closely pressed, added, with a well-affected reluctance, "that his father was an eminent Turkey merchant!" This reply was both conclusive and satisfactory, for, at the period alluded to, England enjoyed a large share of the Levant trade, and a Turkey merchant was but another name for credit and opulence.

And here let me add the unequivocal testimony of a contemporary to his early promise. On interrogating an old lady, with a view of discovering if any thing remarkable had occurred during his childhood, I happened to ask,

"whether she remembered Mr. Horne Tooke while a boy?"

"No!" was the reply, "he never was a boy; with him there was no interval between childhood and age; he became a man all at once upon us!"

Some little difficulties occur about this period, and materials are wanting to fill up the chasm of two or three years. In the brief manuscript memoir of his own life, alluded to before, under the date of "1753," is to be found, "Seven Oakes, Kent, —— a private tutor;" and in 1754 we discover the following entry, immediately subsequent, "Ravenstone, Northamptonshire, —— do." which seems to imply, not only that great and unusual care was taken with his education, but that no expense was spared in rendering him duly qualified for any profession whatsoever.

At the age of nineteen, it was determined to send him to one of the universities, and accordingly, in 1755, he was entered of St. John's college, Cambridge. It would appear that he now applied sedulously to business, for he commenced bachelor of arts three years after, and was one of those who obtained the honours of the day; his name being included among the Triposes of the year 1758. The other

Johnians, who also distinguished themselves upon this occasion, were Messrs. Inman, Bingham, Currey, Brome, Williams, and Beadon. With the last of these he had formed a particular intimacy, and lived to see his friend, who, like himself, was destined for the church, first advanced to the mastership of Jesus college, and afterwards to the bishopric of Bath and Wells.

At length, Mr. John Horne, who had hitherto been studying under the inspection of others, became a teacher himself; although it is difficult to conceive by what sudden caprice of fortune, a *cantab*, who had been placed under two private tutors in succession, and had distinguished himself among the worthies of his college, should all of a sudden have become an usher at a boarding-school. Unhappily, I am not enabled, by means of any written document or contemporary testimony, either to explain or dilate on these events. Certain it is, however, that he acted for some time in this humble capacity at Blackheath, first with a Mr. Jennings, and afterwards, on his retreat, with his son-in-law, Mr. Williams.

It may be readily supposed, that this period of young Horne's life proved miserable in the extreme. Instead of the charms attendant on

elegant, or the improvements resulting from learned society; in place of the amusements and variety of a public, or the happiness and repose usually incident to a domestic life; here was now only heard the unwearied note of the cuckoo, and the eternal gabble, added to the tormenting tricks, of threescore mischievous boys. He might, with Dr. Johnson, when exposed to similar misfortunes, have fairly exclaimed, that "one single day was the faithful copy of a whole existence*;" and it must be allowed, that the ill-requited fatigue, and unrewarded industry, of this laborious but useful class of men, could not fail to be odious to a liberal and ingenuous mind.

Yet, on the other hand, from early life, he appears to have been very fond of instructing others, and to have paid particular attention to children, whom he always viewed with a species of paternal regard. In respect to his management of these, he either was gifted by nature, or had obtained from practice, a certain degree of authority not easily to be conceived. His influence in this respect has come to my knowledge on more than one occasion, and I have lately seen a gentleman, who assured me,

* "Continet vitam, una dies."—*Boswell's Life of Johnson.*

that when a boy, he never stood so much in awe of any person in the world, as the subject of these memoirs. He added, there was something inexpressibly significant in his voice, manner, and gestures, that rendered it impossible to approach him with the same ease as an ordinary mortal!

This may not, perhaps, be deemed an unfit place to make some observations on a subject so intimately connected both with private and public happiness. Mr. Horne was a great advocate for a public education; but not in the ancient Spartan style attempted to be revived by lord Monboddo, who considers that as the most perfect state of civil society, in which government undertakes "the care of the education of the youth, and of the private lives of the citizens, neither of which is left to the will and pleasure of each individual; but both are regulated by public wisdom." He, on the contrary, was for leaving much, in both cases, to the unrestricted agency of those most interested. He inclined, indeed, towards the discipline of our public schools; but thought that parents were the best guardians of the morals of their children.

In respect to the ancients, the stoics were the most severe of all the philosophical sects; but

among the academicians, the fathers only were entrusted with the power of inflicting corporal punishment: for the *ferula* of the pedagogue was thought to render the spirit dastardly. And here it may be doubted, whether the mode of castigation still retained in our national seminaries, be not a remnant of ancient barbarism, which, like the Russian knout, will be gradually left off and disowned in the progress of civilization. Both are calculated to destroy that sensibility, which might be incited to the noblest purposes, were it not both unusual and perplexing to substitute the fear of shame, for the fear of punishment.

Mr. Horne was accustomed to contemplate a great school as a *microcosm*, or little world, in which each boy performed that part in miniature, which he was to act hereafter in real life. On entering into society their manners were in some measure formed. Those brought up at home, on the contrary, become giddy at the sight of so much seeming delight, and like the savages described by Tacitus, were attached to pleasure, in exact proportion to their ignorance of it*.

On the whole, he doubtless thought, with Milton, " that a complete and generous educa-

* " Quanto ferocius ante se egerint, tanto cupidius insolitas voluptates hausisse."

tion, which fits a man to perform justly, skilfully, and magnanimously, all the offices, both public and private, of peace and war," was the best. Nothing excited his indignation so much, as the recent attempts that have been made to discountenance the classical languages of antiquity, under pretence of inutility. He considered this as a conspiracy, on the part of presumptuous ignorance, to cut off all the inlets to knowledge, and cut down the human understanding, precisely to its own level. On that subject, he generally became warm, and was accustomed to observe, "that he had heard men give instructions in respect to education, all of whose knowledge on that subject had been obtained at a charity-school; while others had pretended, in his hearing, to mend the constitution, that ablest effort of practical ingenuity, who were by nature so stupid, that, had they been put apprentices to a taylor, they would never have been able to mend a hole in their own coats!"

The noble spirit of emulation that has gone forth among us, will doubtless contribute not a little to throw new lights on this most interesting subject.

In common with Dr. Swift, he was a great advocate for learning, and not only seemed to

think, but to feel, that literature soothes calamities, both private and public, exhilarates the human mind, and constitutes the chief consolation of every man worthy to be called a philosopher.

While at Blackheath, young Horne appears to have formed an attachment to a young lady, then residing in the same house; a circumstance which, perhaps, might have sweetened his toils, and rendered his bondage less irksome. But it proved transient; the connexion having been broken off, in consequence of some formidable, yet unexpected obstacle; "and thus," he was accustomed sarcastically to remark, in his old age, "I luckily escaped from two evils—matrimony and misery at the same time."

At the earnest request of his father, who was a zealous member of the church of England, he now entered into holy orders, and was, accordingly, ordained a deacon; but it was not until a subsequent period, that he qualified himself for holding preferment, by passing through the usual ceremonies incident to the priesthood. Previously to this, he obtained a curacy in Kent, where he was afflicted with the ague, and obliged to retire from his charge on that account. On his recovery, other prospects opened, far more congenial both to his sentiments and

pursuits, which he now fully determined to gratify.

The law had ever been the favourite profession of the subject of these memoirs, and that, on which he occasionally descanted with complacency, and even with rapture, until the latest hour of his existence. He early perceived that the career of the bar included the senate, the bench, the woolsack, and all the patrician honours. Even during the feudal times, when birth seemed indispensably necessary for the attainment of most other civil distinctions, it was never deemed a disqualification in respect to this, which was then usually connected with the clerical functions. On looking over the list of lord high chancellors of England, he would find, among other instances, that Wolsey, the son of a butcher at Ipswich, obtained the seals in 1516; that Egerton, created in succession baron Ellesmere and viscount Brackley, occupied the same dignified situation, under James I, although a natural son; that the father of sir Peter, afterwards lord King, had been a grocer at Exeter; while Philip lord Hardwicke, a man equally venerated by his contemporaries and posterity, and who had just retired, after a splendid and honourable career, with the appro-

bation of all worthy men, was the son of an attorney at Dover.

A good education, a liberal share of the gifts of nature, a consciousness of his own powers, superadded to a bold and daring character, seemed at once to urge and to qualify Mr. Horne for the profession of an advocate. In addition to all this, he doubtless recollected that a degree at Cambridge would facilitate his claims and his labours. He had accordingly entered himself a member of the society of the Inner Temple, in 1756, four years before he was admitted into *full orders;* little dreaming that, in consequence of the latter event, a precedent should be hereafter made, in his case, for the express purpose of his exclusion; and that this too, should be founded on the identical reason, that, in all former times, had rendered those of his cloth peculiarly eligible.

Our young lawyer, for so he may be now termed, partook of *commons* regularly, during term time; or, in other words, sat down to his beef or mutton daily, in the hall of his inn of court, with a view of enabling him, in his own phrase, "to eat his way to the bar." At this period he got acquainted with two singular men, each famous in this profession, and with both of

whom he was connected in future life: for the one became his defender, and the other his judge.

John Dunning, afterwards lord Ashburton, a native of Devonshire, and the son of an obscure tradesman, was about four years older than himself. Being destitute of patrimony, he repaired to the metropolis with a view of courting the smiles of the fickle goddess; and at length completely succeeded in his views. Notwithstanding his person was unpropitious, and there was a certain *huskiness* in his speech, yet he became the most successful practitioner of his day. Unwearied research obtained for him the character of a sound lawyer; while his known zeal for the interests of a client, rendered every one eager to retain him. He was the only barrister in the Court of King's Bench capable of arguing a constitutional question with the able and eloquent chief justice who then presided there; and, on more than one occasion, the earl of Mansfield himself was obliged to yield to the superior force of his arguments. This celebrated pleader was at length brought into parliament, under the auspices of lord Shelburne; and, after distinguishing himself in the house of commons, on many trying occasions, finally obtained a peerage, together with the chancellorship of the duchy of Lancaster.

Lloyd Kenyon was a native of Wales, who, after having been brought up at the desk of an attorney, practised in Chancery with considerable reputation. It was late in life before he attained the dignities of his profession; and he, who from habits, and custom, and congeniality of studies, was enabled to become a most excellent master of the rolls, occasionally found his seat uneasy as chief justice of the King's Bench, in consequence of being unacquainted with the practice of the common law.

These three, while students, and little dreaming as yet of their future fortunes, were accustomed to spend much of their time together. Two of them, as has been hinted, afterwards attained patrician honours; but, at the period now alluded to, the prospects of the third were to the full as promising, as those of either of his fellow-students. He, indeed, must have been looked up to as a superior character: for, in addition to his natural talents, he had been educated at two public schools, and finished his studies at a celebrated university; while they were brought up at little provincial seminaries, and could not boast of any classical attainments whatever. It would appear, however, that none of the parties were very rich at this period, for they lived with a degree of frugality, that will be deemed rather

singular, when contrasted with their fortune, wealth, and celebrity. I have been repeatedly assured, by Mr. Horne Tooke, that they were accustomed to dine together, during the vacation, at a little eating-house, in the neighbourhood of Chancery Lane, for the sum of seven pence halfpenny each! "As to Dunning and myself," added he, "we were generous, for we gave the girl who waited on us a penny a piece; but Kenyon, who always knew the value of money, sometimes rewarded her with a halfpenny, and sometimes with a promise!"

It would appear, however, that the partiality of Mr. Horne for the bar was not destined to be gratified. His family, who had never sanctioned this attachment, deemed the church far more eligible as a profession, and he was at length obliged to yield, notwithstanding his reluctance, to the admonitions, the entreaties, and the persuasions of his parents. It seems not at all improbable, that a friendly compromise took place on this occasion; and that an assurance was given, of some permanent provision, in case he consented to relinquish his legal pursuits.

Accordingly, in 1760, Mr. Horne was admitted a priest of the church of England, by Dr. John Thomas, bishop of Sarum; and in the course of the same year he obtained the living of

New Brentford, in the county of Middlesex, which was purchased for him by his father. This, for upwards of a century, has been a *chapel of ease* to Hanwell, a village two miles distant; and the endowment, of course, was originally very trifling. But a few years since, the spot, which at present contains a very populous hamlet, forming collateral inflections with the current of the noble river which runs in a serpentine direction along its margin, contained only a few scattered cottages, inhabited chiefly by labourers. The piety of the more opulent neighbours was at length happily exerted to obtain for these poor people the consolations of religion, and about a century ago, this preferment, if preferment it might be then called, was valued at only 16*l.* a year. An inn, however, having been afterwards bequeathed, for the purpose of augmentation, and queen Anne's bounty twice obtained; these accessions, together with the small and hay tithes, are said to have produced the sum of between two and three hundred pounds *per an.* This income was enjoyed by the subject of this memoir during the term of eleven years, and in the course of that period he not only did duty at Brentford, but also preached in many of the churches of the metropolis.

In 1763, it appears, that Mr. Horne had been

prevailed upon to become what he himself was accustomed to term a *bear-leader*, and one of the sons of a neighbouring gentleman was the cub whom he took under his protection. The life and character of Mr. Elwes, afterwards knight of the shire for the county of Berks, has been rendered familiar to the public, by means of the pen of Mr. Topham, who, with equal truth and felicity, has depicted the eccentricities of this opulent commoner, and, by describing the keen, although imaginary distresses, of a man worth half a million, in consequence of the loss of a few guineas, contributed not a little to strengthen the generous precepts of virtue, as well as to afford some little consolation to those who labour under the real pressure of unmerited poverty.

Young Elwes, his son, being now entrusted to the charge of the minister of New Brentford, they repaired to France together, where they appear to have remained considerably more than a year, contemplating whatever was worthy of notice in that kingdom. This journey occurred immediately after the conclusion of the peace of Paris, when the name of an Englishman had become respectable in every corner of Europe, in consequence of a brilliant and successful war, during which it was proved to demonstration, that

the French monarchy, great, populous, and opulent, as it certainly then was, had been unable to contend with the high-spirited and free-born inhabitants of the British isles, although, in respect to wealth, extension, and numbers, in every point of view, inferior.

Towards the end of the year 1764, the tutor, who was delighted with this tour, returned with his pupil to England; and had he been heartily attached to his profession, there can be but little doubt that he might have enjoyed a fair share of its advantages. While a boy, he had been introduced at Leicester House, by means of Dr. de Mainbray, who was still caressed by the young monarch, and was accustomed to play with his present majesty, who was exactly two years younger than himself, once or twice a week. He enjoyed the friendship of Mr. Elwes, who possessed considerable influence; and he was also patronised by Mr. Levintz, the receiver general of the customs. By the kind intervention of the latter, apparently exerted through the channel of a nobleman in high favour at court, he was promised to be appointed one of the king's chaplains; and had a prospect of such other preferment as was sufficient to satisfy his wishes. In fine, a man so gifted and so favoured, might have aspired to all the honours of his

profession; and if he had not reposed, like his friend Dr. Beadon, beneath the shadow of a cathedral, or erected his mitred front in company with the Horsleys, and the Douglases, and the Watsons of his day; yet, like Paley and many other of the inferior dignitaries of the church, he might have enjoyed wealth, and respect, and that learned ease so dear to a man of letters.

But we shall soon discover that these flattering and seductive prospects did not prove sufficient to counteract certain impressions, which had been indelibly engraved on a mind, at once bold and original; avaricious of fame, and disdainful alike of riches and preferment, when these appeared to be in opposition to his principles.

During his residence at Brentford, however, he seems to have laboured to prove useful to his parishioners and all around him. His sermons were plain, perspicuous, and practical discourses, tending to remind his audience of their duties to God, their neighbours, and themselves. While he explained the tenets of Christianity, and insisted on their decisive superiority over those of all other religions, he is said to have carefully abstained from controversial points. Chiefly intent on producing beneficial results, he never

extended his researches beyond the truths contained in the Scriptures, and the received opinions of the Anglican church. Like the learned and pious Dr. Jortin, he perhaps thought "that where mystery begins, religion ends;" and in this point of view he always bore ample testimony to the excellence of that faith in which he had been educated. No one, however, was ever more ready or more eager in private to oppugn and refute the doctrines of the catholic church. These he eagerly opposed, both then and throughout the whole of a long and active life, from a variety of causes. First, he deemed many of its observances superstitious; secondly, he abhorred the idea of a connexion with, and a reliance on, a foreign jurisdiction, as this seemed to trench on the independence of his native country; and thirdly, in consequence of auricular confession, and the powers assumed as well as exercised by the priesthood of that persuasion, he considered this system as highly unfriendly to human freedom.

It may be imagined by some, on account of the equality of pastors and their uniform bias towards a moderate and well regulated liberty, that he might be inclined to lean to the dissenters. But this was not the case. On the contrary, he admired a hierarchy consisting of an ascending

scale of dignitaries, from a parish priest to a metropolitan, which he deemed best calculated both to incite to, and reward merit and virtue. Notwithstanding the charges afterwards adduced against him, on the score of orthodoxy, no one was more violent against schismatics of all de scriptions; and, whatever may be thought, certain it is, that even his very prejudices were on the side of the church of England; for out of the pale of its faith he never was very ready to admit of any ecclesiastical desert whatsoever!

Mr. Horne had no sooner obtained his living, than he determined to administer every possible comfort to the poor of the populous neighbourhood, by which he was surrounded. He was regular in his attention to the sick, a circumstance accompanied with a double portion of consolation. Not content with praying with those that desired it, he actually studied the healing art, for the express purpose of relieving the complaints of such as were unable to pay for the assistance of an apothecary. To attain this end, he carefully studied the works of Boerhaave, and the best practical physicians of that day; and having learned to compound a few medicines, he formed a little dispensary at the parsonage-house, whence he supplied the wants of his numerous and grateful patients. He was

accustomed, at times, to plume himself on the cures he had performed, and often observed, "that, although physic was said to be a problematical art, he believed that his medical, were far more efficacious than his spiritual labours."

On the other hand, he mixed with genteel society, enjoyed all its pleasures and advantages, and indeed always entertained a high relish for company and conversation. As he was fond of associating with the fair sex, he endeavoured to render himself agreeable, by complying with the fashion of the times; and it is not to be denied, that he was, at one period, accused of being too fond of cards, and of spending too much of his time at ombre, quadrille, and whist. But it does not appear that he was thereby induced to neglect any of his duties; and although he was sometimes attempted to be stigmatised with the appellation of "the cardinal priest," yet he has never been accused of indulging in games of chance, or playing for any sum, that might impair his fortune, or engender the remotest suspicion of avarice.

As he advanced in years, pursuits of a far different kind engrossed his attention. He had ceased indeed to be a lawyer, but he had become a politician. His vicinity to town enabled him to be speedily acquainted with all the events of

the times, and there is something in the very atmosphere of a great metropolis, that communicates its influence, to a wide circle around it.

Mr. Horne appears, in early life, to have imbibed high and exalted notions of public liberty; and these, operating on a sanguine temperament, produced a degree of zeal, which, before it was corrected by experience, must at times have approximated to political fanaticism. It would be truly curious to trace the origin of those ideas, and thus, connecting cause with effect, make a liberal estimate of the result; but, in the absence of facts, it is only permitted to guess at first causes, by a recurrence to contemporary history.

When he was a boy, the immediate effects of the revolution had not yet ceased to operate; while the new dynasty introduced by it, was still alarmed by the claims of a pretender to the throne. All parties ultimately appealed to the nation, and they who hailed the name of William III as the "great deliverer," or supported the legitimate claims of the house of Brunswick to the crown, alike founded their pretensions on popular rights. It was thus decidedly the interest even of the court, to countenance those principles, whence it derived its strength and stability; and an unhappy breach, which at this

period took place in the royal family, was at least accompanied with this advantage, that it contributed not a little to produce a competition for public favour and approbation.

Pitt and Lyttleton, fostered by the patronage of Frederick prince of Wales, now thundered in the senate in behalf of freedom; and exhibited specimens of eloquence worthy of the classical ages. Bolingbroke, too, under the same auspices, in his animated attacks on the administration of a great but odious statesman*, exhibited the first fine models of political controversy, which were afterwards copied and improved by Burke, and imitated, but not excelled, by Junius. The Bangorian controversy, too, during which a celebrated prelate† denied the pretensions of his own order to temporal jurisdiction, had enlightened the minds and sharpened the wits of the nation: in short, liberal investigation, as connected with the pretensions of the reigning sovereign, had become the genius of the age, and could not fail to have influenced both the mind and the conduct of the subject of this memoir.

A variety of concurring causes might also be adduced, and a multitude of suppositions sug-

* Sir Robert Walpole, afterwards created earl of Orford.

† Dr. Hoadly, bishop of Winchester.

gested; but there are no limits to conjecture, and perhaps it might be carrying the spirit of speculation too far, to suppose that young Horne had been inoculated by approximation to royalty, and first caught the holy flame of freedom, at Leicester House; the altars of which then smoked continually with popular incense, while strains were there chaunted to liberty, by the best poets of the age, worthy of the days of Harmodius and Aristogiton.

CHAPTER II.

FROM 1765 TO 1767.

Short Retrospect of Public Affairs on the Accession of George III.—Characters of the Lords Chatham and Bute.—The Subject of this Memoir determines to take an active Part in the Disputes of that Day.—Revisits France; where he meets with Mr. Wilkes.—Copy of a singular Letter transmitted from Montpellier.—He repairs to Italy.

IT may be here necessary to interrupt the course of this narrative, in order to take a survey of the political hemisphere, at this period, with a view to discover those motives which gave a new as well as a peculiar direction to Mr. Horne's career, and influenced the whole tenor of his future life.

The latter part of the reign of George II was both happy and fortunate; for the nation, firmly united at home, appeared, at the same time, to

be formidable and triumphant abroad. While a new empire was founded in the east, our colonies in the western hemisphere seemed to be connected to the mother country less by the ties of allegiance, which are often feeble and precarious, than by a reciprocity of interests and good offices, producing protection and kindness on one side, followed by love, veneration, and voluntary obedience, on the other.

The youthful monarch, who now succeeded to the crown, commenced his reign under the most propitious auspices, by providing for the future independence of the judges, and endeavouring to gratify all the partialities of a loyal and affectionate people. In his first speech from the throne, he gloried in being "born a Briton," and asserted, at the same time, "that the civil and religious rights of his loving subjects, were equally dear with the most valuable prerogatives of his crown."

The country, indeed, was still at war; but that war was just, popular, and successful. The finances were regulated with a considerable degree of prudence; and the resources of the state, instead of being exhausted, seemed multiplied by diffusion. Fleets were manned, equipped, and sent out, with an expedition never before witnessed; and England, as heretofore,

did not alone bleed in the contest; for, notwithstanding the joint operation of civil and religious antipathies, Ireland poured forth her gallant sons, and the brave and hardy peasantry of the north, for the first time, were called into action in the common cause.

All this was effected by the talents, the vigour, and the virtues of one man, whose portrait requires the pencil of a master: I shall, therefore, merely attempt to sketch the outline, and that, too, with a feeble and a trembling hand.

The first William Pitt, a great and accomplished statesman, at the period alluded to, still remained at the head of the administration*; and

* This was termed the Pitt and Newcastle ministry, the former conducting the affairs of the state, while to the latter was entrusted the *management of the house of commons.* The following was the arrangement in 1760, at the accession of George III.

1. Duke of Newcastle, first lord of the treasury.
2. Mr. Legge, chancellor of the exchequer.
3. Lord Henley, chancellor.
4. Duke of Bedford, lord-lieutenant of Ireland.
5. Earl of Holderness, secretary of state for the foreign department.
6. Mr. Pitt, secretary of state for the home department.
7. Earl Granville, president of the council.
8. Earl Temple, lord privy seal.
9. Lord Anson, first commissioner of the admiralty.
10. Lord Ligonier, commander-in-chief.
11. Viscount Barrington, secretary at war.

conducted the affairs of that nation, which he had raised from a state of abasement, to an unexampled pitch of glory. Victorious in both hemispheres, and on either element; while he enlarged the acquisitions of Britain by land, the flag of the United Kingdoms triumphed on every sea; commerce and manufactures flourished, as in times of profound peace; and the miseries of war were for the first time unknown. Detesting corruption, he left the management of parties to others, and, trusting to his own master-genius alone for success, boldy pointed the British thunder at the heads of the enemies of his country; and taught France to acknowledge the superiority of a small but free nation over a great and despotic empire. It might be likened to the contest of Greece, in her best days, against Persia; it was Themistocles, with a handful of Athenians, overcoming the fleets and the armies of the Great King!

Without patrimony, without family connexions, without titles, this wonderful man, after being deprived of his commission as a

12. Mr. George Grenville, treasurer of the navy.

13. Sir Charles Pratt, afterward lord Camden, attorney general.

This proved not only the most successful, but also the most popular ministry, ever witnessed in Great Britain.

cornet in the Blues, by the jealousy of Walpole, suddenly attained the first offices in a free state, by the power of eloquence alone*. Nature appears to have been prodigal of her favours at his birth. He possessed a prominent figure, and the features of his face were admirably expressive of the ardor of his mind. His nose is said to have resembled the beak of an eagle; his look was fascination; his eye, suddenly transfixing with its lightning, seemed to destroy the victim before his lips had pronounced its final doom.

His dress, if we are to credit tradition, was in exact unison with his person; and the tie wig and rolled stockings, still to be seen on the canvas, were no less picturesque than appropriate. Add to all this a certain theatrical attitude and manner; gesticulations scrupulously adapted to the subject; a tongue, that could by turns drop honey or distil venom; words at once expressive, glowing, ardent; a voice, the varying tones of which seemed equally calculated to communicate delight by their music, or appal, terrify, and overawe, with their mimic thunders. Such a man could not be deemed a servile copy even from the ancients; like them, he was an original.

* Omnis vis virtusque in lingua sita est. — *Ad. C. Cæs. de Repub. Ordinand.*

But, if his oratory formed the lever by which he moved the house of commons, the British empire, and all Europe, let it be recollected, that he superadded the far rarer gift of a talent and capacity for command. This enabled him to conduct the affairs of his native country with an unexampled degree of vigour and ability: for, while eloquence issued from his lips, wisdom and success seemed to preside at his counsels. He was the first man who discovered the strength, and knew how to wield the combined energies of this nation. Equally great in the senate and the cabinet, Pitt stands unrivalled among our British statesmen, and even Cecil himself might have turned pale at his name.

Yet, unhappily, this great minister did not long possess the confidence of the young monarch; and as he could not be answerable for the effect of those measures which were not expressly dictated by himself, he suddenly withdrew. This sinistrous event seemed for a while to palsy the whole body-politic. The parliament, hitherto unanimous in his support, was suddenly split into factions; but the people, more constant, as well as more pure in their attachment, with one voice declared in behalf of their champion.

Meanwhile, it was decreed that a *favourite*—

a term always peculiarly odious and ungrateful in a free country—should succeed him, on whom had been conferred the flattering appellations of the "Great Commoner" and the "Heaven-born Minister."

This favourite was John earl of Bute, a nobleman, to whom sufficient justice has not been done, amidst the bitterness and malevolence of party rage. Illustrious in respect to family, being lineally descended from sir John Stuart, son of Robert II, king of Scotland, he was lofty in his manners, and at no period of his life either affected or acquired popularity. But he was a generous patron of the arts and sciences, and proved one of the first and most liberal protectors of botany and engraving in this country. His person was handsome, and to this circumstance, rather than to any extraordinary degree of talents, he is supposed to have been indebted for his power and riches. While still young, he married the daughter of the celebrated lady Mary Wortley Montague, with whom he obtained an immense fortune; and having occupied for some years an honourable situation in the household of the prince of Wales, father to his present majesty, at length became the governor of the reigning monarch; whose confidence he acquired early in life, and

retained for many years. Within two days after the accession of the young king, he was accordingly sworn a member of the privy council, and obtained the rangership of Richmond Park, while his influence in the cabinet soon became paramount.

Such a sudden elevation exposed this nobleman to jealousy and suspicion. Unendowed with the eloquence of the senate, unprotected by great family connexions, and upheld by the partiality of the prince alone, he soon became hateful to the people. The victories obtained under his administration were either deprecated as of no avail, or attributed to the antecedent plans of his more fortunate rival; and when he wished to put an end to the horrors of war, even the olive-branch itself ceased to be a boon, when it was to be received at his hands. Notwithstanding this, the peace of Paris must now be acknowledged to have been alike politic and liberal, although it was then odious in the extreme. Even the sudden and voluntary retreat of its author from power could not secure impunity; for a torrent of invective still continued to be poured out against him, while his successors were denominated his creatures, and his friends considered as the enemies of the nation.

But worse consequences ensued. The rival-

ship of these two statesmen, which was compared to the contest between Narses and Belisarius, seemed not only to menace the prosperity of the empire, but actually engendered a contest between the court and the people. In the course of this dispute, a young and beloved monarch beheld himself for a while bereaved of popular favour; and that enthusiasm, with which he was wont to be received, was suddenly transferred to a patriot in disgrace.

The succeeding administration, too, instead of soothing the public mind, inflamed it almost to madness by the most impolitic measures. A gentleman, who commenced his career as a partisan of the ex-minister, was treated with a degree of rancour unsanctioned by sound policy, and prosecuted with a rigour unjustified by the laws. Arrested and sent to the Tower by an illegal process, the sympathy of the nation was aroused in his behalf, and he was soon after liberated, in consequence of a solemn decision of a court of law, amidst the acclamations of the people. As the rights of all were supposed to have been violated, so the franchises of the whole body of the nation were soon after said to be grossly infringed in his person; and the unceasing enmity of the ministers of that day never abated for a single moment, until, by a long series of perse-

cution, Mr. Wilkes became the most popular man in the kingdom.

This conduct, which savoured of imbecility and injustice, was ascribed by some to treachery and treason. The most sinistrous intentions were attributed to those in power; and suppositions were entertained by many, of a settled design to enslave the people. Even the prince himself, who, by a wise policy, is sheltered from all personal responsibility, did not escape animadversion, and was no longer saluted by those loyal gratulations with which he had been recently hailed.

Such was the situation of public affairs, and so feverish and irritable the minds of the nation, when the subject of these memoirs first appeared on the scene. It has become the prudent practice of domestic life, during these latter times, to contemplate the disputes of opposing parties, merely with a view to individual interest; and either remain indifferent spectators, or to declare for the victors, who are alone able to reward their adherents. But it appears to have been otherwise, half a century ago; and Mr. Horne, whose mind was formed on the ancient models, alike despised a neutrality, which he deemed criminal, and an acquiescence, which would have been considered by him as degrading. Accord-

ingly, although the star of the house of Bute was now in the ascendant, yet being considered by him as a malignant planet, that portended no good to his native country, with all the generous impetuosity of youth, he instantly decided against his own immediate interests. Warmly attached to the constitution, both from education and reflection, he burned with impatience to support its tottering fabric. Bold, ardent, enthusiastic, he suspected that a regular plot was actually formed for its destruction, and already anticipated the time, when, like Denmark about a century before*, and Sweden at a subsequent period†, the liberties of Great Britain were to be laid prostrate at the feet of a young, artful, and ambitious monarch!

This suspicion, however strange and unaccountable it may appear to some, he cherished until the day of his death, and this ought to be considered as one of the secret, but powerful springs, by which all the actions of his future life were actuated. Let it be recollected, however, that he had been brought up in the principles so warmly advocated by the whigs, at the time of the Revolution, and which still continued to operate towards the middle of the

* In 1661, during the reign of Frederic III.

† August 19, 1772, by Gustavus III.

last century. Those ideas, too, were fortified by an acquaintance with the history of the ancient commonwealths, and seconded by an ardent temperament, which pointed out the present as a favourable opportunity to acquire renown and distinction.

It ought also to be added, that he gloried in the name of *Englishman*, and justly considered the constitution of his native country as surpassing, in point of real efficacy and practical excellence, not only all contemporary, but all antecedent governments, whether republican or monarchical. His judgment, lately refreshed, as well as invigorated by foreign travel, had enabled him to make a comparative estimate between what he had seen at home and abroad; and it was with pride he beheld the balance in favour of human happiness, to be on the side of the land which had given him birth.

It will, therefore, appear less surprising, perhaps, that a man, who considered every infringement of the British constitution as a sacrilege, should, on such an occasion, be ready to dash the untasted cup of preferment from his lips, and begin his career, by offering up the greatest of all sacrifices, at the altar of public freedom. From this moment, therefore, he devoted himself to what he considered the public cause; and, laying aside

all thoughts of ecclesiastical preferment, he seemed to have determined early in life, either to vindicate the liberties of his country, or suffer as a martyr in their defence.

Meanwhile, the name of Mr. Pitt operated like magic on the great body of the people. The whigs of that day always beheld France with an invidious eye, and rejoiced at her humiliation and disgrace. Considering the example of successful tyranny as contagious, they vowed eternal enmity and everlasting hatred against a king, who kept more than twenty-five millions of his subjects in slavery; and they would willingly have waged perpetual war with a nation, base and abject enough to hug their chains, and sacrifice themselves at the bidding of an unfeeling despot.

While such sentiments as these prevailed generally throughout the kingdom, it is not at all surprising, that the man, who had so nobly avenged the cause of his country, should be an object of general love and esteem. His patriotism, his downfall, his disinterestedness, his poverty, all endeared him to his compatriots; while the names of his rivals and his opponents were doomed to execration.

Mr. Horne partook of the general enthusiasm, and made a common cause with the people, both

in respect to their love and their aversion. It was in vain that his brother-in-law* remonstrated against his imprudent conduct, and that all his friends whispered in his ear, that he was about to put an eternal bar to his future preferment. The image of Mr. Pitt seemed to have haunted his dreams; the wrongs of Mr. Wilkes, to have broken his slumbers; the fame acquired by both, to have either awakened, or at least given a new direction to, his youthful ambition. In short, he resembled Themistocles, when he declared, "that the trophies of Miltiades would not allow him to sleep."

Listening to nothing but the voice of patriotism, he now took the field against corruption, and boldly assailed all those whom he considered as enemies to his country. Of his first literary efforts, it is difficult, at this period, to give any account. A song, to celebrate the liberation of Wilkes from the Tower, has been preserved in the memory of a surviving friend; but it appears evident, from a variety of circumstances, that his labours were chiefly directed against the favourite. Squibs, puns, paragraphs, letters, and essays, were all employed in their turn, on this occasion. By degrees, he

* Dr. Demainbray.

extended his plan, and on finding that the chief justice of the King's Bench* had pronounced some severe and unpopular sentences against those who espoused the same cause with himself, he attacked him with an unexampled degree of severity: in respect to this nobleman, indeed, he appears, like Hannibal with the Romans, to have sworn an eternal enmity. The cabinet, too, was by turns assailed, with all the united efforts of sarcasm, ridicule, and argument; and his own, in conjunction with a thousand pens brandished on this occasion, in one common cause, soon rendered that one of the most unpopular administrations, which England had witnessed for a century.

But his chief effort, consisted of an anonymous pamphlet, which appears to have been so replete with zeal, that, for a long while, no one could be found, who was daring enough to usher it into the world. At length, however, a *bold publisher* was discovered, and the work in question printed, and prepared for circulation, on the express condition, that the author's name should remain a secret, until a prosecution was threatened.

This publication, which has now become ex-

* Lord Mansfield.

tremely scarce, was chiefly directed against the earls of Bute and Mansfield; and is entitled:

"The Petition of an Englishman; with which are given a Copper-plate of the Croix de St. Pillory, and a true and accurate Plan of some Part of Kew Gardens*." The following motto is prefixed: "Honour is worth ambition in a Pillory;" and Dryden's apology for this species of composition is quoted by way of preface: "There are two reasons," observes that great poet, "for which we may be permitted to write lampoons. The first is, when we have been *notoriously abused*, and can make ourselves no other reparation.

"The second reason which may justify an author, when he writes against a particular person, is, when that person is become a *public nuisance*. 'Tis an action of virtue to make examples of bad men. They may, and ought to be upbraided with their crimes and follies, both for their own amendment, if they are not incorrigible, and for the terror of others, to hinder them from falling into those enormities, which they see are severely punished in the persons of others. The first reason is only an excuse for revenge; but this *second* is absolutely of an author's office to perform."

* Printed for E. Sumpter, 1765, 25 pages 4to.

In the tract itself, which is addressed "to the right honourable, truly noble, and truly Scottish lords, Mortimer and Jefferies," there are many offensive passages. These exhibit a complete specimen of that personal and national satire, so common during the early period of the present reign; and which, in consequence of the lapse of half a century, and the change that has taken place in our manners, would now be considered as highly indecorous. It may be permitted, however, to observe, that the two noblemen mentioned above, are told that they have created a new institution in this kingdom, called "the order of merit——or of the pillory. The boon I beg of you," continues the author, "is to be admitted a knight companion of this honourable order; and that you would, in consequence of this my request, speedily issue forth a PARTICULAR WARRANT, for me to be invested with this noble Croix de St. Pillory. Some such institution as the above-mentioned has long been wanting in this kingdom. Give me leave to assure your lordships, it is with no small mortification, that my countrymen appear in foreign courts and nations, where they find themselves surrounded by many acknowledged men of merit—the chevaliers of different orders —themselves undignified with any title, but that

of ENGLISHMAN: their noble bosoms decorated with no jewel, but—precious liberty!

"And since, by you, the English name, is now melted down to BRITON*; and Liberty, wrested from our hands, is, with great propriety, trusted to the keeping of Scotch justices and court boroughs:—leave us not naked of every honourable distinction. Give us this badge in lieu of what you have taken from us: that we may afford a striking proof to some future Montesquieu, how true it is, that the spirit of liberty may survive the constitution; and that, though it is possible for an infamous, royal FAVOURITE, by corruption of——and with the assistance of an iniquitous prerogative judge, to harass and drive insulted Liberty from our arms, yet still she finds a refuge, from which she can never be expelled—a freeman's breast."

From this new order, the author digresses to a popular subject, and exclaims: "No! Wilkes, thou art not alone—we are all OUT-lawed.

* This alludes to the king's first speech from the throne, in which his majesty glories in being born a "Briton." Mr. Wilkes, and most, if not all the writers of that day, who attacked the court party, made this very appropriate epithet a subject of censure. But in the first place, it was correct in point of fact; and, in the second, prudent in point of policy; for the battle of Culloden had been fought but fourteen years before, a pretender to the throne still existed, and the Scotch had not then reaped those advantages from the union, which they have since happily experienced.

Sentence is passed on all. The only difference is, that they have *formally* driven thee from the protection of the laws, and they have *virtually* taken the protection of the laws from us." The reader is at the same time informed, that as no one can dwell in safety, free from the violence of secretaries, warrants, &c., he craves from their lordships the favour of the *pillory*, as a matter of honour for the author; while, by way of obliging the publisher, it is recommended, at the same time, to order this petition to be burnt by the hands of the common executioner: "for the formal burning of a work at Tyburn will shortly become the only received IMPRIMATUR; and, in order to stamp and establish the merit of any piece, and to make it acceptable to the public, it will soon be as necessary that it pass through the hands of the hangman, as it was formerly that it should pass through those of a licenser.

"The affair of imprisonment," it is added, "he leaves entirely to your wisdom and discretion: though indeed he rather considers that as a thing of course. For your lordships, no doubt, have somewhere read, that truth (if it is a virtue) is a virtue like the plague—(having too often the same quality of making us generally shunned and avoided.)

"Wisely, therefore, do your lordships, to pre-

vent spreading the infection, send it to perform quarantine in the King's Bench. MUTILATION, too, he has forborne to mention, though entirely of your sentiments—that from the natural body, as well as from the body politic, should be lopped, without mercy, the members that offend.

"Squeeze out, therefore, the eyes that presume to pry into your mysteries and intrigues of STATE OR LUST.

"Slit the nose that dares to smell a RAT.

"Wring off the ears and root out the tongues, that listen to, or whisper the words—LIBERTY and LAWS.

"And for the sake of congruity, for your own satisfaction and certainty of a punctual performance—be yourselves the executioners of the sentences you pass.—And let Fulvia, with her bodkin, pierce through again the tongue of Cicero.

"But you may go farther than this scheme of partial punishment.—Nay, you must. For chopping off the hands of authors would be doing worse than nothing. They spring up like Hydra's heads. And it is to be apprehended, lest the remaining stump of some poor, mangled carcase, instead of INK, should write his purposes in BLOOD.

"Hang up at once, then, all who can read or write.

"You have a precedent in Cade*. And for the justification of any infamous and dirty business, it is at *present* sufficient that there is a precedent."

After this, the author returns to his favourite subject, the violation of public justice, in the person of a popular commoner:

"Your lordship's firm and persevering conduct has effected what our laws never could. And an Englishman is under a necessity of being either absolutely free from faults and indiscretions—*which is difficult*—or your friend—*which is impossible.* For we have seen, by Mr. Wilkes's treatment, that no man who is not, and who has not always been, absolutely PERFECT himself, must dare to arraign the measures of a minister.

"It is not sufficient that he pay an inviolable regard to the laws; that he be a man of the strictest and most unimpeached honour; that he

* (*Enter a Clerk.*)

Weaver. The clerk of Chatham. He can WRITE and READ and cast accompts.

Jack Cade. O, Monstrous!

Weaver. We took him setting copies.

Cade. Here's a villain!

be endowed with superior abilities and qualifications; that he be blessed with a benevolent, generous, noble, free soul; that he be inflexible, incorruptible, and brave; that he prefer infinitely the public welfare to his own interest, peace, and safety; that his life be ever in his hand, ready to be paid down cheerfully for the liberty of his country; and that he be dauntless and unwearied in her service—all this avails him nothing.

"If it can be proved (though by the base means of treachery and theft) that in some unguarded, wanton hour, he has uttered an indecent word, or penned a loose expression—away with such a fellow from the earth—it is not fit that he should live."

The following passages are too singular to be omitted, as they seem to savour of prophecy, exhibit the same indications of spirit with which the author was animated; and at the same time prove that he was ready to devote himself, to what he doubtless considered the cause of the nation:

"Even I, my countrymen, who now address myself to you—I, who am at present blessed with peace, with happiness, and independence, a fair character, and an easy fortune, am at this moment forfeiting them all.

"Soon must I be beggared, vilified, imprisoned. The hounds of power will be unkenneled and laid upon the scent. They will track out diligently my footsteps, from my very cradle. And if I should be found once to have set my foot awry—it is enough.—Instant they open on me.—My private faults shall justify their public infamy, and the follies of my youth be pleaded in defence of their riper villainy.

"Spirit of Hampden, Russel, Sidney! animate my countrymen! I invoke not your assistance for myself; for I was born INDEED A FREEMAN.

"My heart in its first pantings beat to LIBERTY. She is twisted with my heart-strings, and cannot be torn from thence. They have formed together a gordian knot, which cannot be *untwisted* by the subtle fingers of *corruption*, nor loosened by the touch of fear. Nothing can separate us. No! not the cruel and bloody sword of tyranny. Her union with me is lovely and honourable through life; and even in death I will not be divided from her."

Mr. Horne was very fortunate to escape from that prosecution, which he seemed so anxious to court. For this impunity, he was perhaps indebted to his seeming indiscretion, as he had made some gross allusions to the honour of a

great lady, which might have rendered a trial in a court of justice both injudicious and indelicate; while it would have added not a little to the public odium against this personage, relative to whom, too many prejudices unhappily subsisted at that moment.

But it is not a little creditable to the subject of these memoirs, that, whatever his political opinions might be, and however far his zeal might have carried him beyond the customary bounds of discretion, his character and integrity were alike unimpeachable. That he was respected not only by his own parishioners, but also by the families of the neighbouring gentry, there cannot be a better proof, than the fact, that he was repeatedly selected to superintend the morals, and regulate the conduct of young men of fortune.

Of this, a new instance occured in 1765, when he was applied to by Mr. Taylor, a gentleman residing within a few miles of Brentford, to accompany his son, during an excursion to Italy. Having been always fond of travelling, and particularly delighted with the prospect that now occurred, of treading on classic ground, he readily accepted the offer; and towards the autumn of the same year, set forward with his usual zeal and alacrity.

Perhaps it may be here necessary to observe, that, at Dover, Mr. Horne constantly changed his clerical dress; and, on crossing that narrow strait, which, by separating us, from "that pale, that white-faced shore*" of France, has happily ensured our independence, assumed the habit, appearance, and manners of a private gentleman. Nor ought it to be omitted, that, on both this and the former occasion, the young gentleman entrusted to his care, never once dreamed, that he was under his inspection; but deemed himself highly honoured, as well as obliged, by the permission to accompany him in the capacity of a friend, during this journey.

Soon after his arrival at Calais, our traveller saw and conversed with the father of the present Mr. Sheridan, then employed on a scheme of perfecting and extending the English language. He also became acquainted with his lady, who chiefly addicted herself to the lighter pursuits of literature; and in addition to two comedies, had produced a couple of novels, entitled "Sydney Biddulph," and "Nourjahad," in which a strict adherence to morals was happily united with a fine and creative imagination.

On his arrival in the capital, he visited several of his countrymen, and, by means of a letter of

* King John, act ii, scene 1.

introduction from Mr. Humphrey Cotes, a celebrated politician and wine merchant of the city of Westminster, who had recently become a bankrupt by steadily supporting the cause of patriotism, he enjoyed an opportunity of being introduced to Mr. Wilkes, who was then in exile. Accordingly, he immediately waited on that gentleman, who received him with distinguished politeness. He was already known to the "patriot" by reputation, and the handsome manner in which he had mentioned this popular character, while labouring under the penalties of proscription, could not fail to excite his gratitude and esteem.

That celebrated commoner, who, with a correct and elegant taste, united all the vices of a fine gentleman, and all the discernment of a man of the world, soon discovered that his new acquaintance was no ordinary man. He instantly perceived, that he was not only a scholar, but a person of conspicuous talents. One so richly gifted, and so replete with zeal and disinterestedness, was likely to prove serviceable both to his present and future views; he therefore solicited his friendship, and, after much entreaty, exacted a promise of correspondence. This was acceded to in an evil hour, by our traveller, as will be seen hereafter; while the

gay colonel of the Buckingham militia, plunging into the dissipation of a luxurious metropolis, soon forgot to cultivate that acquaintance, which he had been so desirous to form and to improve.

Mr. Horne, after a short residence there, proceeded to Geneva, in the vicinity of which he visited Voltaire; and in the south of France associated with the author of the "Sentimental Journey." He then crossed the Alps, and at Genoa remained for some time in the same house with Mr. Rosenhagen, a man whose abilities were once considered of so high an order, as to entitle him to the suspicion of being "Junius." After this, he viewed all the great cities of Italy, and spent the festive season of the Carnival at Venice.

It is singularly unfortunate, that but few traces of this journey, and none of the former now remain. Had Mr. Horne committed his observations to paper, there can be but little doubt, that he would have produced an instructive work, replete with information and research. Since the time of Addison, we have had but few learned travellers, and, with only one or two solitary exceptions, no political ones. Amidst this penury of information, it is perhaps more curious than useful, to speculate on what would have been the opinions and the remarks of a

man, who united all the fervor of enthusiasm with a talent for discernment; and to a heart burning with the love for liberty, joined a cool and calculating head. In France, he had an opportunity of contemplating a people humbled by a foreign foe, and subdued by the ministers of a feeble domestic despot*, who, reclining in the arms of indolence, luxury, and voluptuousness, was wholly inattentive to his own glory, the happiness of his subjects, or the fate reserved for his unfortunate successor. In the parliaments, however, he must have beheld a faint, but yet a seductive image of the ancient states-general, which had been occasionally convoked during a period of three hundred and fifteen years, and included the representatives of the commons, ever since the reign of *Philip le Bel*, at which period a middle class of men had arisen, between a powerful body of nobles, and an oppressed peasantry. To a mind so instructed, it would have been easy to have pointed out the original causes that led, first to the disuse, and next to the annihilation of this great assembly, which, like our own parliaments, contained a happy mixture of the dignitaries of the church, the great proprietors of land, and the deputies of the cities and towns.

* Louis XV.

This signal triumph over popular liberty was achieved by the princes of the Valois branch; yet it could not have proved lasting, but for the regular army, first introduced during the reign of Charles VII, and rendered necessarily permanent, in consequence of the invasion and successes of the English. The tyranny of Richlieu completed what a succession of kings had nothitherto been able wholly to effect; and at the period when our traveller visited that country, political liberty had long ceased to exist, while personal freedom was of course illusory and insecure.

Attached, from a thorough conviction of its excellence, to the municipal institutions of England, he would have earnestly deprecated a form of government, which rendered the monarch unsafe, and the people wretched; like Hume, Du Clos, and Chesterfield, he might have foretold that a national struggle would some day take place; while, from the manner in which the writings of Montesquieu, Mably, Raynal, Rousseau, and Voltaire were received, he could have easily predicted that this epoch was actually at hand. But, alas! nothing short of inspiration could have enabled him to prognosticate that a sudden and portentous revolution was to be speedily followed by a military tyranny, and a govern-

ment exhibiting all the most odious features of oriental despotism established in the midst of Europe, at the commencement of the nineteenth century.

In Italy, he beheld a country which had given laws to the world in ancient times, and, by a strange concurrence of events, proved alike the cradle of science and superstition during the middle ages. Amidst scenes rendered famous, and in some measure sacred, by the poets, historians, warriors, legislators, and patriots of ages past, he might have either calmly contemplated the classic page of antiquity, or have solved the modern paradox, respecting the sudden declension of its cities, and the correspondent degeneracy of its inhabitants. He could easily have told us, by what magic the external greatness of Lucca, of Pisa, and of Florence was produced. In Genoa, where he resided many months, he must have contemplated, with a philosophic eye, the remains of a state, or rather of a single town, which had engrossed the lucrative trade of the Black Sea; awed the Mediterranean with its armed gallies; with its caravals, rendered the north of Europe tributary to its commerce; by means of a *podesta*, governed Pera, the key to the imperial city of Constantine; and set the whole power of the Byzantine empire at defiance.

A mind so gifted, could have accurately traced the history of Venice, from its humble origin in the island of Rialto, until the time, when, like Britain, it claimed the sea for its patrimony; first shared, and then engrossed the commerce of Egypt and of the East, and, finally, wafting the heroes of the crusade to the shores of Syria, besieged Constantinople, and divided the remains of the Greek empire with the Turks. Instead of agreeing with an elegant, but too pliant historian*, "that the twelfth century produced the first rudiments of the wise and jealous aristocracy, which has reduced the doge to a pageant, and the people to a cypher;" his ardent and inquisitive spirit, would have at once revolted at, and detected a sophism, contradicted by the testimony of history; for he well knew, it was not until the great council, or popular assembly, had been shut up, and the legitimate prerogatives of the first magistrate violated, by a jealous oligarchy, consisting of a few patrician families, that this powerful community began to decline. At length, bereaved of its wealth, its commerce, its power, its liberty, and tottering to its destruction for want of a due balance, after experiencing several centuries of happiness, and even of glory, it lately fell a ready sacrifice to French perfidy and Austrian rapaciousness.

* Decline and Fall of the Roman Empire, vol. viii.

But it is full time to terminate this digression, and return from speculation to facts.

On his arrival at Montpelier, Mr. Horne and his young friend visited all the genteel company in that place, both French and English. Among the latter was the late duke of Buccleugh, accompanied by the celebrated Dr. Adam Smith, author of the "Wealth of Nations," as a travelling tutor; and Mr., now sir Thomas Hussey Apreece, who has lately exhibited some claims to the barony of Latimer.

It was during his residence in a city, which, by the caprice of fashion, was then deemed eminently salubrious, and is now carefully avoided during a large portion of the year, on account of the deleterious effluvia of the neighbouring marshes, that Mr. Horne seems to have first recollected his pledge to the famous patriot whom he had left in exile at Paris. He now commenced an epistolary correspondence, by means of a letter equally singular and indiscreet. The following is the only correct and authentic copy which has ever appeared; and no attempt shall be here made to palliate, far less to justify, certain passages, which cannot be excused in any point of view, or under any circumstances whatever.

"TO JOHN WILKES, ESQ.—PARIS.

"*Montpelier, Jan.* 3, 1766.

"DEAR SIR,

"I well recollect our mutual engagement at "parting, and most willingly proceed to fulfil "my part of the agreement.

"You are now entering into a correspondence "with a parson, and I am greatly apprehensive "lest that title should disgust; but give me "leave to assure you, I am not *ordained* a hypo- "crite. It is true I have suffered the infectious "hand of a bishop to be waved over me; whose "imposition, like the sop given to Judas, is only "a signal for the devil to enter.

"I allow, that usually at that touch—'fu- "giunt pudor verumque, fidesque. In quorum "subeunt locum fraudes, dolique, insidiæque,' "&c, &c. but I hope I have escaped the con- "tagion; and, if I have not, if you should at "any time discover the BLACK spot under the "tongue, pray kindly assist me to conquer the "prejudices of education and profession.

"I have not received as yet any letters from "England. I believe there are a few left for "me at the Post-house, at Marseilles; but I do "not expect any intelligence in them: I hope for

" some from you, relative to yourself, that may " give me pleasure, though I am half afraid the " hopes of the present ministry have miscarried; " for lord St. John, of Bletso, not long since " showed me a letter from the duke of Grafton, " excusing himself for not appointing his lord- " ship to the embassy of Constantinople, and " mentioning the nomination of Mr. Murray; " at the same time, his lordship told me, that he, " too, had long been soliciting that employ- " ment: I wish there had been no greater ob- " stacle in your way than his lordship's interest " and merit.

" I passed a week with Sterne, at Lyons, " and am to meet him again, at Sienna, in the " summer.—Forgive my question, and do not " answer it, if it is impertinent. Is there any " cause of coldness between you and Sterne?

" He speaks very handsomely of you, when it " is absolutely necessary to speak at all; but " not with that *warmth and enthusiasm*, that I " expect from every one that knows you. Do " not let me cause a coldness between you, if " there is none. I am sensible my question is " at least imprudent, and my jealousy blame- " able.

" Sheridan is at Blois, *by order of his majesty*, " and with a pension; inventing the method to " give a proper pronunciation of the English

" language, to strangers, by means of sounds " borrowed from their own. And he begins " with the French.

" I remember, a few years ago, when an at- " tempt was made to prove lord Harborough an " *idiot*, the council on both sides produced the " same instance; one of his wit, the other of his " folly. His servants were puzzled once to un- " pack a large box, and his lordship advised them " to do with it, as they did with an oyster, put " it in the fire, and it would gape!

" This commission of Sheridan appears to me " equally equivocal. And should a similar sta- " tute be at any time attempted against his ma- " jesty, they who do not know him may be apt " to suspect that he employed Sheridan in this " manner, not so much for the sake of fo- " reigners as his own subjects; and had per- " mitted him to amuse himself abroad, to prevent " his spoiling our pronunciation at home.

" I have this moment seen a letter from Eng- " land, that tells me that Fitzherbert has sent " you a power to draw on him to the amount of " 1000*l.* a year:

" Eutrapelus, cuicunque nocere volebat
" Vestimenta dabat pretiosa*:

* As this well quoted passage afterwards became a subject of contention, the whole of it is here subjoined:

"I am afraid this is *Eutrapelian* generosity; "and that, by furnishing you with the means of "pleasure, they intend to consign you over to "dissipation, and the grand points of national "liberty and your glory to oblivion. I am sure "they will be mistaken; nothing little or com- "mon is for the future to be pardoned you.

"The public have done you the justice to "form extravagant notions of you; and though "they would be very sorry to see you neglect "any opportunity of serving your private in- "terest; yet they hope never to have cause to "reproach you as Brutus did Cicero.—'That it "was not so much a *master* that he feared, as "Anthony for that master.'

"You perceive how freely I deliver my sen- "timents; but all this is uttered in the openness "of my heart, and ought not to offend you, as "it proceeds from a man who has always both

"Eutrapelus, cuicumque nocere volebat,
"Vestimenta dabat pretiosa. Beatus enim jam
"Cum pueris tunicis sumet nova consilia et spes:
"Dormiet in lucem; scorto postponet honestum
"Officium; nummos alienos pascet: ad imum
"Thrax erit, aut olitoris aget mercede caballum."

Epist. ad Lollium, 812, *Hor. Lib.* 1.

Volumnius Eutrapelus was a companion of the profligate Anthony, and is mentioned by Cicero, both in his Epistles and Philippics.

" felt for your sufferings, and spoken highly of " your conduct in the public cause. In the " meantime,

" I am, dear sir,

" Your most obedient,

" and very humble servant,

" JOHN HORNE."

Of the first portion of this letter, enough has been already said, and it is to be hoped, that the writer, on this occasion, rather flattered the supposed opinions of his new acquaintance, than exhibited his own. The remainder is equally curious and interesting; for it proves that Mr. Horne had already detected the secret views of Mr. Wilkes, who had long wished to repair to a distant part of the world, in some honourable and lucrative employment, and that of minister to the Ottoman Porte had been actually selected by himself. It appears evident, too, that his intelligence was so excellent, that he had become acquainted with the negociation with the Rockingham administration, in consequence of which, a considerable annuity was to be paid this gentleman, while he remained in exile, with a view of keeping him quiet. The sum in question, however, was not to be taken out of the

public money, but levied by a voluntary subscription from the salaries of those in place.

Whether it was, that Mr. Wilkes was piqued at the discovery, or mortified at the disclosure of this transaction, is uncertain; but true it is, that no answer was ever returned to this singular epistle. Whatever may be its faults, no one can deny, that the sentiments disclosed in the latter part of it, are as just and commendable, as those in the former are offensive and indiscreet; and it will readily occur, that therein is developed, even at this early period, not only that warmth of sentiment, but the same noble scorn of corruption, which the writer steadily evinced through life.

Meanwhile, the neglect with which he was treated, could not but prove trying in the extreme, to a man eager to cultivate an intimacy with Mr. Wilkes; who had been prevailed upon to accept an invitation to a literary intercourse, and had committed himself, in a manner, and to an exent, whence it was impossible to recede. Notwithstanding all this, on his return to Paris, in the course of the ensuing spring, Mr. Horne found means to see the exiled patriot, without undergoing either the formality or humiliation of a visit. This opportunity of demanding an explanation was not suf-

fered to escape; but every attempt to gratify his curiosity was skilfully parried for a time by the gallant colonel, who, over a bottle of burgundy, in a jocular manner, and with his usual flow of wit and vivacity, endeavoured to convert the whole into a joke. Finding, however, that his correspondent was too serious to participate in his witticisms, he concluded by denying the receipt of the fatal epistle!

But notwithstanding our traveller had reason to suspect his veracity, even at that period, yet a reconciliation actually took place; and although he soon after learned, that the letter in question had been actually shown to numbers, accompanied with a menace of publication, yet this instance of treachery, superadded to untruth, was freely forgiven.

Being now about to repair to England, where it was necessary that he should resume his clerical dress and functions, Mr. Horne determined to leave his fashionable clothes at Paris, whither he had determined to return in the course of a few months. He accordingly confided his wardrobe to the care of Mr. Wilkes, as may be seen from the following curious note, transmitted to that gentleman on the morning of his departure.

"*Paris, May* 25, 1767.

"DEAR SIR,

"According to your permission, I leave with "you:

"1 suit of scarlet and gold, cloth.

"1 suit of white and silver, cloth.

"1 suit of blue and silver, camblet.

"1 suit of flowered silk.

"1 suit of black silk.

"1 black velvet surtout.

"If you have any fellow feeling, you cannot "but be kind to them; since they too, as well "as yourself, are outlawed in England; and on "the same account—their superior worth.

"I am, dear sir,

"Your very affectionate,

"humble servant,

"JOHN HORNE."

CHAPTER III.

FROM 1768 TO 1769.

Mr. Horne becomes a popular Preacher—a new Direction suddenly given to his Habits of Life, by the Middlesex Election—his successful Exertions in behalf of Mr. Wilkes and Serjeant Glynne—an Anecdote.

MR. HORNE returned to England during the summer of 1767; and leaving the young gentleman committed to his care at the paternal mansion, he repaired to his vicarage, and resumed his former course of life. Having previously resumed his black coat, he proceeded as before to discharge the various functions attached to his office; which, during his absence, had been ably supplied by a curate. He had now held the chapelry of Brentford during a period of seven years, and was greatly respected by all around him, not only on account of his moral, but his companionable qualities, of both which, all

men either are, or pretend to be judges, while his singular talents, hitherto undeveloped to the public at large, were only unveiled to a few who knew how to admire and appreciate them.

I am in possession of two anecdotes, connected with the present portion of his life, one of which I learned from one of his relatives, and the other from himself. Having aspired about this time to become a popular divine, he was often solicited to preach in several churches of the metropolis, and frequently officiated at St. Paul's, Covent Garden. On one of these occasions, after having recapitulated, with his accustomed ability, the leading principles of the Christian religion, in a short, but argumentative discourse, he was followed into the vestry by two well-dressed females. The elder of these informed him, that her niece, miss ****, had been greatly affected with his sermon, and having had many strange doubts, for a long time, preying on her mind, relative to certain points of doctrine, the young lady was extremely desirous to have her scruples removed by a person of his high character and talents. This of course led to an acquaintance, and Mr. Horne was ever after accustomed to boast, "that he had found the young lady an infidel, and left her a good member of the church of England."

The other is of a different kind. Having been requested to preach a charity sermon, at St. John's church, he prepared himself accordingly; and, not knowing that there were two parishes of this name, the one in the city, the other in its immediate vicinity, he happened to repair to the wrong one. On discovering the mistake, he immediately hurried away to St. John's, Shadwell; and on his arrival was told, "that the congregation had been singing psalms for half an hour, in expectation of the famous Mr. Horne." Upon this, he hurried on his gown, and prepared to ascend the pulpit, when, lo! he discovered that he had forgotten his manuscript. In this new dilemma, a clergyman, who happened to be present, offered to supply him with a discourse, "on the dignified conduct of St. Paul before Agrippa." This, although little to the present purpose, was readily accepted, and as he luckily recollected his own text, Mr. Horne at length resolved to gratify an impatient audience. He accordingly commenced, with a suitable introduction, conceived and pronounced extemporaneously; he then proceeded to the argumentative part, which he borrowed chiefly from the sermon before him, supplying the declamatory portion by the usual alluring and persuasive doctrines in favour of public charities.

After this, in a short but pithy peroration, he summed up, and strengthened all the former reasons and inducements for alms-giving; and, finally, concluded with a most pathetic address to the feelings of his hearers. On his descending, he was complimented by the rector and churchwardens, for his very able discourse, which was attended with such a beneficial effect, that the congregation proved unusually liberal; so that the sum obtained far exceeded any thing of the kind hitherto received at any antecedent period.

There is abundance of proof, indeed, that Mr. Horne was now considered an admirable preacher, and that his eloquence only wanted cultivation, to place him among the most successful of our English divines. But it was in orthodox and doctrinal discourses, that he chiefly excelled, and he is accordingly reported to have distinguished himself greatly by his exhortations before confirmation, on which occasion, by mingling sound argument with kind and affectionate persuasion, he never failed to make a suitable impression on all who heard him. In short, he might not only have been greatly respected, as a popular pastor, but was still in a fair way to become one of the pillars of the Anglican church, when a memorable event occurred

in the political world, and proved an unsurmountable, although not, perhaps, an unexpected obstacle to his future preferment.

The well-known politician, with whom he had became acquainted at Paris, in 1768, most unexpectedly offered himself, about this period, as a candidate for the county of Middlesex. Although the minister of New Brentford was not ignorant of the vices of that celebrated character, yet he well knew how to distinguish between him and his cause: against the former, he was constantly on his guard; while, in respect to the latter, he had always been favourable to it, and that too, in no ordinary degree. Of his talents and intrepidity, he was well assured, and by this time, he was not so ignorant of the world, as either to hope or expect, that no one except a man of an immaculate character, should enter the forum, as an advocate for popular rights.—But it may be here necessary to pourtray this singular person, as he was not only intimately connected with the history of that day, but also with the future fortunes of the subject of these memoirs; who evinced himself by turns, his kindest friend, as well as bitterest foe.

John Wilkes, the son of an eminent distiller, was a native of London, a circumstance of

which he seems to have frequently boasted. His mother appears to have been a dissenter, while his father was so much attached to revolution-principles, that, in order to escape from the possible contagion of a political stain, the son was not allowed to complete his education at either of the English universities. He was, therefore, sent to Leyden, to finish his studies in the country which had given birth to William III; and while in that city, formed an acquaintance with Mr. Baxter, who first made him known to the world by the dedication of a work * of some celebrity.

Having been supplied with a liberal allowance, he was enabled, during his travels, to form an acquaintance with the duke of Grafton, and several of the English nobility, together with many commoners of distinction. Soon after his return from abroad, he paid his addresses to an heiress †; and, on his marriage with that lady, settled at Aylesbury. On the introduction of a national militia, he distinguished himself as a warm advocate for a measure, intended partly to counterbalance the supposed dangers of a standing army, and partly

* Matho, sive Cosmothoria puerilis, Dialogus; in quo prima Elementa de mundi ordine, et ornatú propununtur.

† Miss Meade.

to render the introduction of foreign troops unnecessary; but which, strange as it may appear, was neither relished by the government nor the people.

At its first institution, he accepted of a company in the battalion raised in the county of Buckingham; and, on the retreat of his friend, sir Francis Dashwood, afterwards lord Le Despencer, earl Temple, with whom he lived in great intimacy, in his capacity of lord-lieutenant, conferred on him the command of the regiment.

Colonel Wilkes commenced his political career in 1754, as a candidate for the city of Berwick, and published an address, on that occasion, fraught with ample professions of purity and patriotism. Proving unsuccessful there, he afterwards represented the place of his residence in two successive parliaments, having acquired the good will of the inhabitants, as well as of the neighbouring gentry, by the fascinations of a polite address, and the hospitalities of a plenteous and elegant table. Attached to the elder Mr. Pitt, whom he had constantly supported, from a conviction of the great talents and capacity of that celebrated statesman, he contemplated his removal from the helm with equal regret and indignation; and strove, by all possible

means, to render his successor odious to the people. This was effected without any great difficulty. The marked esteem of the king and the princess dowager, the jealousy generally attendant on power, even the very country of the new premier, contributed to render him suspected; and he became eminently unpopular, when contrasted with his illustrious rival.

Mr. Wilkes, at the age of thirty-four, first displayed his talents, as a party-writer, by a pamphlet severely animadverting on the public documents relative to a rupture with Spain; an event which had been foreseen, and was intended to have been anticipated by the ex-minister. —In 1762, in conjunction with Lloyd and Churchill, he published the first number of the "North Britain," a paper unexampled, in point of circulation, since the time when sir Robert Walpole was attacked in the "Craftsman." In this periodical work, at once satirical, popular, and vituperative, the delicacies of private life, the feelings of the second lady in the kingdom, and the majesty of the throne itself, were not deemed sacred. One duel with lord Talbot, the steward of the king's household, in which the colonel conducted himself with great gallantry; another with Mr. Martin, treasurer to the princess dowager of Wales, in consequence of which

he was dangerously wounded; added to several attempts at assassination, at once endangered the life, and endeared the person of Mr. Wilkes, to the public.

In addition to this, happily for him! the laws themselves were violated in his person; as he was arrested, by a *general warrant*, for a libel, on the 29th of April, 1763; in consequence of which all his papers were seized, and he himself made a close prisoner. This proceeding, by connecting his cause with a grand constitutional question, added to the number of his adherents; while his dismission, by a royal order, from the command of his regiment; a prosecution by the king's attorney-general; the dereliction of one of its choicest privileges on the part of the house of commons, in order that he might find no protection from his quality of a representative; all these tended to excite the indignation of the people.

After obtaining a verdict, with large damages and costs of suit, against the two secretaries of state*, who had authorised his arrest, the member for Aylesbury found it necessary to retire to the continent, and was, soon after, expelled from one house; while another addressed

* The earls of Egremont and Halifax.

the king to prosecute him a-new, in consequence of an "Essay on Woman," a gross, indelicate, and flagitious publication; of which, however, only twelve copies appear to have been printed; while the one now produced (the only one ever published) had been obtained by the bribery and subornation of a domestic. The intrepidity of Mr. Wilkes did not succumb under the greatest misfortunes that can attend a man; on the contrary, he boldly returned to his native country; and this exile, and outlaw, who had spent his own patrimony, dissipated his wife's fortune, and was accused of cheating an hospital, now offered himself as a candidate for the first city in the empire. Nothing daunted by a repulse there, he next determined to represent that county which was the seat of the laws he had violated; of the parliament by which he had been expelled and prosecuted; and of the prince to whom he had rendered himself personally obnoxious.

Such was the desperate state of Mr. Wilkes's affairs, when his cause was advocated by the minister of New Brentford. That gentleman soon proved, that he enjoyed considerable influence, not only in his own immediate neighbourhood, but, also, throughout the whole county; and, as he possessed but little property,

and few connexions there, it is but fair to attribute his unexampled success to zeal, character, and talents alone.

Accordingly, while Dr. Demainbray, who had married his own sister, and all those attached to the court, were busily employed on the other side, he was active, laborious, and indefatigable. Scarcely allowing himself time for the usual refreshments which nature requires, he was employed, sometimes on foot, and sometimes on horseback, in canvassing the county, enumerating the merits and the sufferings of Mr. Wilkes, palliating his errors, and apologising for his follies. Such animated and unceasing exertions were attended with correspondent effects; but so notorious was the poverty of the candidate, who had been lately repulsed in his attempt to represent the metropolis, that he did not possess either money or credit sufficient to open a single house at the usual place of election. This deficiency was instantly supplied by the enthusiasm of Mr. Horne, who pledged himself, on that occasion, to the amount of all that he was then worth in the world, and thus obtained the two best inns at Brentford.

It was he who infused a portion of his own spirit and ability into the committees for managing the contest; it was he who, sometimes

in company with the popular candidate, and sometimes by himself, addressed large bodies of the electors, who had been collected in different places for that purpose. In short, in opposition to calculation, and as if to set experience and precedent at defiance, Mr. Wilkes, whose fortune was desperate, and whose person was liable every moment to be seized by a tipstaff, proved finally successful. In consequence of a generous burst of indignation, excited by a clergyman of the church of England, whose whole income arose out of a small benefice, the latter thus suddenly, as if by magic, found means to return an outlaw, as knight of the shire for the county of Middlesex, by the votes of a great majority of freeholders.

On this, as on all future occasions, he carefully avoided every appearance of force, constraint, and violence. Although the populace were decidedly on the side of Mr. Wilkes, yet no encouragement whatsoever was given to tumult. A similar moderation, however, was not displayed on the part of those who managed the election of the unfortunate candidate; for ruffians, designated from their arms by the appropriate name of *bludgeon-men*, were hired and embodied; and these were let loose on the unoffending multitude, several of whom were

desperately wounded, while a person of the name of Clarke perished on the occasion.

On the other hand, Mr. Horne, who, as may be easily supposed, was a man of strong passions, being now in the full possession of youth, health, and animal spirits, like many others of the same age and temperament, doubtless both did and said what would not have obtained the sanction of his maturer judgment. Accustomed to feel acutely, and express himself energetically, he was not altogether calculated either to forget or forgive with so much promptitude as M. de Chauvelin, a counsellor of the parliament of Paris, who, about this time, established a perpetual mass, to return God thanks for preserving the life of Louis XV, who had banished him from his native country for his attachment to the laws.

On the contrary, he went somewhat into the opposite extreme on one memorable occasion, and appeared nearly as violent as the curé of Rosainvilliers, who, during the disputes about the bull *Unigenitus*, exclaimed, from the pulpit, "that he himself would be the first to dip his hands in the blood of the Jansenists *." In short, during the Middlesex election, an expres-

* Le Siecle de Louis XV.

sion dropt hastily from his mouth, which had never seriously entered his heart, "that, in a cause so just and so holy, he would dye his black coat red!" This, coming from a clergyman in full orders, and within hearing of his own parishioners, produced a considerable sensation, was carefully recorded by his enemies, and afterwards repeatedly quoted by his *quondam* friends, when they wished to lessen his influence with the public.

The two ministerial candidates, upon this occasion, were sir William Beauchamp Proctor, and Mr. Cooke; the former of whom seems to have rendered himself the most odious. To that gentleman, Mr. Horne addressed a series of letters, which appear to have been of a very warm complexion, as may be gathered from the following quotation:—

"Were I to adopt the coarsest language which is used by honest indignation to the most prostitute and abandoned characters, I think I should be justified in this address to you."—The author, who, as usual, affixed his signature, added: "I have yet a character to lose; for I have never signed my name to a lie."

On this, as on many other occasions, he appears to have been incited chiefly by his attachment to the knight of the shire for Middlesex,

or, more properly speaking, to the cause in which he had embarked.

"Mr. Wilkes's crime," observes he, "is well known to have been, his opposing and exposing the measures of lord Bute. The two Humes, Johnson, Murphy, Ralph, Smollett, Shebbeare, &c. &c., all authors, pensioned or promised, had been let loose on him in vain. The lord steward of his majesty's household * (who has, *therefore*, continued in that post through every revolution of ministry), and the treasurer to the princess dowager of Wales † (who, together with that office, has a pension for himself and a reversion for his son), had separately endeavoured to commit a murder on his body, with as little success as others had attempted his reputation: for they found him—*tam Marte quam Mercurio.*

"The intended assassination of him by Forbes and Dunn, had miscarried.

"The secretaries of state had seized his papers, and confined his person to close imprisonment. They had trifled with, and eluded the *Habeas Corpus.* But still he rose superior to them all, and baffled, alone, the insatiable malice of his persecutors; for though they had, in a manner, ruined his private fortune, his public

* Lord Talbot. † Mr. Martin.

character remains entire. They had spilt his blood, indeed; but they had not taken his life; and, with it, still were left—

"'The unconquerable mind, and Freedom's holy flame.'

"It remained, then, to make one general attack upon him at once, by every power of the state, even in its separate capacity. The revered name of majesty itself was misapplied to this business. The house of lords, the house of commons, and the court of King's Bench, through the little agency of Carrington *, Curry †, Webb ‡, Faden §, Kedgell ‖,

* A king's messenger.

† A journeyman printer, who had been suborned to purloin Mr. Wilkes's proof-sheets.

‡ Under secretary of state.

§ A printer in the City.

‖ The rev. J. Kedgell, without whose aid, Mr. Wilkes would never have incurred the odium of writing "An Essay on Woman;" twelve copies of which work only were printed, at a private press, but never published. As the ministers of that day seemed determined to ruin that gentleman, and were not very scrupulous as to the means, a journeyman printer, of the name of Curry, was seduced, by promises, to purloin a proof-sheet, containing some manuscript corrections in the hand-writing of the author. This had been effected through the intervention of this clergyman, then rector of Horne, in Surrey, and chaplain to the duke of Queensberry, who, soon after, published a dissertation on the original work, written after the manner of Suetonius, the latter of whom is said to have exposed the brutal appetites of

and Sandwich *, made one general assault."

But although these letters contained many bitter and sarcastic expressions, no prosecution ensued; the person to whom they were addressed contenting himself with the riband of the Order of the Bath, just bestowed upon him, as a recompense for his services on this occasion; while the other candidate, who had before enjoyed the office of chief prothonotary of the Common Pleas, was still farther rewarded with the lucrative appointment of joint-paymaster-general.

Meanwhile, the new knight of the shire did not enjoy his triumph unalloyed with pain. In the course of a few days, he was arrested by a war-

the Cæsars, with all the licentiousness and extravagance in which they lived. The text must be bad indeed, if it exceeds the prurient commentary of this reverend divine!

After obtaining the living of Godstone, in Surrey, Mr. Kedgell repaired to the Continent—*apostatized*—was employed as tutor in the family of an electoral prince—and, finally, became a priest of the church of Rome. For these particulars, I am indebted to his worthy successor, the rev. Charles de Coetlegon, M. A., who has re-edified the church, and erected a very excellent parsonage-house, out of part of the revenues of the vicarage, which had been suffered to *lapse* during a series of fourteen out of thirty years, that Mr. K. resided in Germany.

* The late earl of Sandwich, first lord of the Admiralty, &c.

rant from lord Mansfield, chief justice of the King's Bench, and, on being rescued by the populace, in his way to the prison of that court, he prudently seized an opportunity, in the course of the same night, to surrender himself to the marshal. A majority of the house of commons, too, having declared, "John Wilkes, esq., unduly elected," the speaker issued a new writ, February 3, 1769. On this, the same party who brought him in, repaired to Brentford, and he was once more returned, without any opposition. This election, also, being declared void, another writ was ordered, Feb. 17; and Mr. Wilkes, by this time elected an alderman of London, was chosen as before. A fourth election, being attended with similar results, Mr. Luttrell, now lord Irnham, vacated his seat, and became a candidate for the county. On this occasion, although he only polled 296 freeholders in opposition to 1,143, on the part of the popular candidate, yet the house of commons negatived the return of the sheriffs; and, by a new vote, April 14, not only resolved as before, "that the election of John Wilkes, esq., was void," but added, "that the honourable Henry Lewes Luttrell, ought to have been returned, and now is duly elected a knight of the shire for the county of Middlesex."

On this, the mob became furious against colonel Luttrell, who soon after obtained the office of adjutant-general in Ireland; and had it not been for the personal interposition of Mr. Horne, that officer would have fallen a victim to their resentment; for it was he who rescued him from their clutches, and conducted him to a place of safety. This generous conduct must surely be allowed to have been worthy of applause; but, such is the deadly enmity of political contests, that it rendered him, ever after, suspected by many of that party, and, on a future occasion, was frequently quoted against him, as an indelible offence.

Notwithstanding this, he proceeded in his career; and, on the death of Mr. Cooke, which occurred soon after, he pointed out one of his own friends as a proper person to represent the county in his place.

On this occasion was selected a learned serjeant, who had rendered himself dear to the minister of New Brentford, by his upright and independent professional conduct. He had exerted himself with equal energy and ability against lord Mansfield's doctrine of attachment for a supposed contempt in case of libel, and was the first practitioner who had dared to controvert the legal opinions of the chief justice.

He had also given his gratuitous assistance, during the late contests, and was in general looked up to as one of the most sturdy, as well as conscientious lawyers of his day. The following are the precise words in which he was recommended to the county by the subject of these memoirs :—"I beg leave to present Mr. Glynn to your choice. I know his principles to be as firm, and his heart as incorruptible, as his conduct is modest and moderate, and his abilities uncontradicted. Complete your work, and place by the side of your persecuted patriot, Wilkes, his strenuous and disinterested defender, Glynn!"

About this period, a riot took place in St. George's Fields, and the military being called in, a young man of the name of Allen, who was afterwards proved to be an innocent and distant spectator, was unhappily put to death. Mr. Gillam, a magistrate, who had given the orders to fire, was afterwards tried for his life, and on his acquittal, a copy of the indictment was granted him by the court, in express opposition, however, to the opinion of Mr. justice Gould, one of the judges who presided.

On these, as on all similar occasions, Mr. Horne repeatedly exposed his life, to collect the witnesses, secure the supposed murderers, and bring

the authors and actors to justice. He was at first promised, by the party in opposition, that a parliamentary inquiry should take place in respect to that transaction; and, in consequence of their intended intervention, forbore to publish the particulars, contenting himself with merely stating a few facts to the freeholders of the county, assembled at the Mile-End assembly-room. It was he, also, who supported the widow Bigby, in "the appeal of blood," against the murderers of her husband. Being aware, from his knowledge of the ancient laws, that, in a case of this kind, the king's pardon, which had been lately pleaded, could be of no avail, he retained Mr. Dunning, at his own expense; but, so novel was the practice, and so many the obstacles thrown in the way of that great advocate by the lord chief justice of the King's Bench, that it was found almost impossible to proceed *.

He also, nearly at the same time, interposed, to

* Two brothers, of the name of Kennedy, had been convicted of the murder of John Bigby, a watchman, on Westminster Bridge. As this event was accompanied with many atrocious circumstances, and nothing could be advanced in extenuation of such a wanton and barbarous deed, it was, of course, expected, that they were to expiate their crimes by a shameful death. This would, accordingly, have occurred, but for the charms of their sister, the famous Poll Kennedy,

bring Edward M'Quirk, a chairman of notorious bad character, (who had been hired during the election at Brentford,) to justice, for the murder of George Clarke; but, although he was convicted of the crime, by the verdict of a jury, yet the ministers were prevailed upon to grant a free pardon to the offender. On this occasion, Mr. John Foot, a surgeon, deposed, that the blow given had proved fatal to the deceased; and afterwards published an able pamphlet on this subject, which obtained him great credit; but I have since discovered, by an original document, that, although the chirurgical facts proceeded from his pen, yet that, with this exception alone, the whole of that very popular production was written by this zealous partisan of popular rights.

Nor did his intrepidity, on this occasion, prove less conspicuous than his talents. Thinking

who pos-essed sufficient influence, first to obtain a reprieve, and next a pardon.

Even this might have proved ineffectual, however, had it not been for the avarice of the widow, who was gained over by the sum of 350 guineas, advanced by a nobleman with whom miss K. then lived. Mr. Horne Tooke lately assured me, that the late Mr. Arthur Murphy was the person who paid the money; and that Mrs. Bigby, after haggling for a long time as to the amount, finally insisted on the whole being paid in gold!

there might be some difficulty in obtaining a warrant from the magistrates to apprehend the rioters during the election at Brentford, he determined to effect his purpose by means of the constable of the night alone. Accordingly, accompanied only by that officer, he actually seized those who had participated in the murder of Clarke, while they were assembled at an alehouse in the neighbourhood of Covent Garden, although one of them, on account of his gigantic figure, had been ironically denominated "the infant," and, notwithstanding liquor had been freely distributed, made them prisoners.

It was about this time, that Mr. Horne obtained some influence in the town of Bedford, and, in consequence of this, soon became an elector. The duke of Bedford, the patron of that corporation, had rendered himself extremely unpopular, partly by having negociated the peace of Paris, and partly by a political alliance with the duke of Grafton, who had lately deserted from the party of the earl of Chatham, and, erecting his own standard, became prime minister.

By way of retaliation on the former, it was determined to attack him in what was deemed a vital part. Accordingly, on discovering that he was extremely obnoxious in his own borough,

a successful attempt was made to liberate it from his influence. In this political struggle, the subject of the present memoir most heartily concurred; and, as he never did any thing by halves, became one of the most active of the insurgents. The contest took place September 4, 1769, on the election of mayor and bailiffs. The duke, who was present, finding himself unable to prevail in his wish, not to add to the number of freemen, requested of the corporation to nominate twenty of his own friends. When the names of those on the popular side were read, he restrained his indignation, until that of "John Horne" was pronounced, when his grace was pleased to express himself with great bitterness. On a division, this candidate was however elected, by a majority of six, there being seventeen votes in his favour, and eleven against him.

Junius, with his accustomed bitterness, was pleased, on this occasion, to denominate the nobleman in question, "the little tyrant of a little corporation," and observed, "that, to make his late defeat more ridiculous, he had tried his whole strength against Mr. Horne, and was beaten on his own ground*."

* Letter XXIII, p. 237, vol. i, ed. 1812.

An event occurred about this period, which serves to show, that the subject of these memoirs, had already turned his attention to some of the most abstruse and difficult questions connected with the theory and practice of English jurisprudence.

In 1769, when his friends, the aldermen Townshend and Sawbridge, happened to be sheriffs of London and Middlesex, sentence was passed at the Old Bailey, on John Doyle and John Valline, two Spital Fields weavers, who had been capitally convicted, in the following words: "You, the prisoners at the bar, shall be taken from hence to the place from whence you came, and from thence to the USUAL place of execution; where you are to be severally hanged by the neck till you are dead, and may God Almighty be merciful to your souls." On Thursday the 9th of November, Mr., afterwards sir James Eyre, the recorder, issued an order for their execution, in which he departed from the tenour of his former judgment, by means of the following additional clause, tending to aggravate the punishment:

"And whereas it hath been duly signified to me, that it is his *majesty's pleasure*, that the said sentence be executed in the most convenient place, near Bethnal Green Church, in the county

of Middlesex: now it is hereby *ordered that the execution of the said sentence be made and done upon them, the said John Doyle and John Valline, on Wednesday, the 15th day of this instant November; at the most convenient place near Bethnal Green Church, in the said county of Middlesex.*"

No sooner was Mr. Horne acquainted with this circumstance, than he condemned the alteration as a palpable deviation from the sentence, and not only denounced every variance, on the part of the executive, as illegal; but actually maintained that a literal obedience to the warrant would incur the guilt of murder*.

The sheriffs, startled at an assertion of so singular an import, proceeding from the lips of a man, already considered as a great constitutional authority, determined to take the best possible advice on this subject; and a case was accordingly stated, for the opinion of Mr. serjeant Glynn. This, which is short and simple, appears to have been either drawn up with the privity or penned by Mr. Horne himself.

* This was probably founded on the opinion of lord Coke, who observes, "the judgment doth belong to the judge, and he cannot alter it; and the execution belongs to the sheriff, and he cannot alter it."

The learned counsel confessed a very great difficulty in answering the question. "If the place is a *material* part of the sentence," observed he, "the omission of which would vitiate the judgment, the execution must be conformable to it, and I know no authority that can justify a deviation from it. The king may pardon all or part of the sentence, but cannot alter it; the sheriff's authority is the sentence, he is bound to look to it, and see it rightly executed. If the place is *not material,* then I should conceive it to be in the sheriff's discretion, he being responsible for the fitness and propriety of the place. There are certain cases in which the sheriffs must disobey such commands, *viz.* if the crown commanded an execution in a private room, or church, &c."

In this dilemma, he recommended to the sheriffs to petition his majesty; they accordingly applied to lord Weymouth, and obtained a respite for the convicts; they, at the same time, stated to the king, "their doubts, whether they could lawfully comply with his majesty's pleasure;" and begged that the late order for the execution might be "reconsidered."

In a second letter from the sheriffs to the same secretary of state, dated Nov. 15, 1769, they communicated the opinion of their counsel,

and, from the writings of Coke, Hale, and Foster, advance additional reasons for their conduct. They contend, 1. "That the judgment pronounced was their warrant for execution; and maintain every execution not pursuant to the judgment to be unwarrantable; the sheriff is to pursue the sentence of the court; if he varies it has been held highly criminal; and the judgment pronounced on Doyle and Valline is, that they be carried to the USUAL place of execution.

2. "The king cannot by his prerogative vary the execution, so as to aggravate the punishment beyond the intention of the law; the mercy of the crown is not bounded, but it cannot go beyond the letter of the law, in point of rigour. Now, the present alteration is not intended to be a mitigation, but an aggravation of the sentence. Neither immemorial usage nor custom can be urged in behalf of this alteration; or if they could, would they make it justifiable; because it would not be a practice founded in mercy; and, undoubtedly, where that is not the case, (perhaps even where it is,) *judicandum est legibus non exemplis.*

3. "Our doubts are still farther increased, and become more important, when the consequences of such an admission are considered. If the crown can act contrary to the sentence

in one instance, it may in all; if it can change the usual place of execution to Bethnal Green, it may to Newgate Street, and even to Newgate itself; and thus our boasted usage of public execution, (not less necessary to the satisfaction and security of the subject than public trial,) may make way for private execution, and for all those dreadful consequences with which private executions are attended in every country where they have been introduced.

4. "Had the power of alteration been in the crown, (which is humbly conceived not to be the case,) his majesty's pleasure has not been properly notified, and the recorder's authority alone would not be sufficient to justify the sheriffs for departing from the sentence pronounced by the court." The whole concludes with a prayer, that his majesty would either suffer the sentence of the court to be executed at the *usual place*, or permit them to have the sanction of the judge's opinion on a matter of so great importance to themselves and the whole nation.

A few days after this, lord Camden, then chancellor, stated, in a note to these magistrates, that the case and question, enclosed by him, had been referred to the twelve judges. Next morning, the sheriffs returned for answer, "that

the case alluded to, is so far from being *full* and *complete*, that it is not the *same case*.

"The case of which your lordship has favoured us with a copy, consists of four parts:

"The sentence of the court.

"The recorder's warrant.

"A stating of a sign manual; *which is not our case*.

"A conclusion, *which is not our question*.

"The case and the question, therefore," add they, "referred by his majesty's command to the twelve judges, is neither our case nor our question.

"For these and many other reasons, my lord, we wish humbly to entreat his majesty, that the same method may be followed with us as was practised in sir Edward Coke's case; who, after having been chief justice, was appointed sheriff of the county of Buckingham, and, taking four exceptions to the oath proposed to him, both his exceptions and his reasons were, by the lord keeper, laid before all the judges, and received each a separate answer, with their reasons."

On November 30, it was notified in an official letter, that the judges were of opinion, "that the time and place of execution are in law NO PART of the judgment; and that the recorder's

warrant was a lawful authority to the sheriffs, as to the time and place of execution."

On this the sheriffs complained to the lord chancellor, of a "naked opinion," on the part of the judges; and lament, "that their doubts are OVERRULED without being SATISFIED." They, however, at length complied, and the two prisoners were accordingly executed, at Bethnal Green, Dec. 6, 1769, by the civil power alone, as the sheriffs refused to accept of any military assistance whatsoever. From this moment, however, the mode of passing sentence has been altered, so as to accord with the objections before stated, and prevent any variation between the judgment and the order for execution.

Mr. Horne afterwards published the particulars of this transaction, under the title of "Genuine Copies of all the Letters which passed between the Lord Chancellor and the Sheriffs of London and Middlesex, &c. relative to the Execution of Doyle and Valline*."

* Printed for R. Davis, in Piccadily, 1770, with the following motto:

"In rebus novis constituendis,
"Aut urgens necessitas aut evidens utilitas:"
We feel not the one, we see not the other.
Sir F. Bacon's Quotation and Comment.

Such of these papers, as were written by Mr. Horne, (and there is reason to suppose that he either penned or dictated all such as were subscribed with the names of the two city magistrates,) abound with able, learned, and sententious remarks. The notes, too, are at once recondite and curious. Both will be prized by those whose studies have been directed to constitutional investigations, on account of their respective merits; and while the lawyer may be inclined to praise them for their research, the logician must at the same time be pleased with the order, skill, and ingenuity of the arguments.

CHAPTER IV.

FROM 1769 TO 1770.

Account of Mr. Horne's printed Sermon.—Mr. Onslow commences an Action for a Libel.—The different Verdicts in that Cause.—Reflections.

IT has already been remarked, that Mr. Horne, at this period of his life, had distinguished himself as a preacher; and, notwithstanding the tumult of election contests and the continual bustle and confusion incident to so many political struggles, he now actually found time to compose and publish a sermon. This seems evidently to have been written in the bitterness of disappointment; and, as it is supposed to be the only religious tract ever printed by him, a copious analysis shall be inserted in this place.

The text is taken from Psalm lv, verses 12, 13. "It was not an open enemy that hath done

me this dishonour: for then I could have borne it.

"But it was even thou, my companion, my guide, and my own familiar friend."

The divine begins by acknowledging himself to be sensibly affected with the pathetic impatience of David, who in all his other trials appears patient and resigned; but this he owns he could not bear. Few, it is observed, but have experienced a similar sensation. "And because a disappointment in friendship is the most common, and, at the same time, the most stinging of all others—Listen to me, while I propose to you a method how you may escape this anguish, and never know, 'how sharper than a serpent's tooth it is to have a faithless friend.'

"Forgive me, O my God, that I am forced from this place to offer thee this public dishonour, by putting thy friendship in competition with that of man! Thou, O God, best knowest how little trust there is reposed in thee; and how necessary is this exhortation, to persuade thy infatuated creature—man—to withdraw his confidence from his fellow worm, and repose it wholly upon thee, his creator, who alone art mighty, both to save and destroy."

We are next told, that the distrust of God's friendship, and want of reliance upon him,

springs from nothing else but infidelity, and this universal infidelity is so great, that our Saviour himself always expressed the greatest surprise, when he met with any person who believed his word. Every one is then desired to examine his own heart, and see whom he desires to make his friend.

"Tell me," adds the preacher, "which is most frequented amongst us, the temple of the Lord, or the levees of the great? the courts of princes, or the house of God? In our sickness we call not on the Lord, but on the physician; as if God could not heal. We put our trust in man; as if God was not the Lord, faithful and true. And we labour for wealth, as if the Lord was not all-sufficient. In our physician, we can see health; in our friends, a sure refuge; and in our wealth, security. It is natural to suppose, that this general practice proceeds from its general success. Let us examine, therefore, whether such a supposition is well founded. And by this inquiry we shall easily be able to determine which is most desirable, the friendship of man, which you so ardently solicit, or the friendship of God, who so ardently solicits you. Children of worldly wisdom! keep your eyes upon the balance; it is in your scales that we now weigh the friendship of man against the friendship of

God.—Reason and religion forbid any comparison."

The reader is next reminded, by a reference to holy writ, that the completion of God's promises constantly exceeds the terms in which they are made, while with man the direct contrary always takes place. Obsequiousness, flattery, and zeal, proceed from those who are desirous of sharing our riches and our power; of the employments we have to dispose of; of the favours we can bestow: these are "just such friends as the bees are to the flowers—to suck from them their sweetest juice: such friends as the ivy is to the oak—that creeping up its sides it may exalt itself to a higher station. And that this is really the case, I will appeal to your own experience. Do you not always see that the *rich* have *many* friends, the *poor* not one? No! God only is the friend who seeks you for your sake: he seeks *you*—not *yours*. None ever proved this truth more plainly than the Israelites; to whom, if ever, God showed himself partial; for whom, if ever, God wrought any wondrous works;—it was when he saw them reduced by the Egyptians to such a state of wretchedness, that 'their life was spent with grief, and their years with sighing.' Then it was that, with a mighty hand, and with an out-stretched arm,

he freed them from their cruel oppressors. Then it was that, for their sake, the earth, the air, the fire, and the water, became the instruments of vengeance; and those elements were made to serve for the destruction of *that very mankind*, for whose benefit and advantage alone, they are and were created."

This pious, and very orthodox sermon, concludes with a recommendation to place our confidence in God, "as, although, by the condition of our nature, we must find our companions amongst men, HE alone ought to be followed as our *guide*, and trusted as our *familiar friend!*"

Soon after this, we find Mr. Horne engaged in an unpleasant dispute with Mr. Onslow. That gentleman, while in opposition, had proved a warm and strenuous supporter of Mr. Wilkes; but, having been afterwards admitted into favour by the court, he obtained an office under the Grafton administration; and was now, as usual, both considered and treated as a deserter from the popular cause.

The vicar of New Brentford was not slow in exhibiting his resentments; for, at a public meeting of the freeholders of Surrey, assembled at Epsom, he attacked this gentleman, who then happened to be one of the knights of the

shire, and a member of the privy council, "as a man who would promise fair, but was incapable of keeping his word;" and he unadvisedly added, "that if Mr. Onslow would lay aside his privilege, he would lay aside his gown." Soon after this, he entered into a controversy of a very disagreeable nature with that gentleman: in the course of which, a charge of the most flagrant corruption was openly made by the one party, while it was repelled by the other, with the most pointed disavowal; as may be seen, from the following correspondence, which first appeared in the Public Advertiser, and was soon after circulated in the form of a pamphlet.

"TO THE RIGHT HON. GEORGE ONSLOW, ESQ.

"*Ash Court*, 11*th July*, 1769.

"SIR,

"I HAVE heard from very good authority "that one of the lords of the treasury has lately "gained a thousand pounds in a very common "and usual manner, which is yet likely to be at- "tended with a very uncommon and unusual "consequence. Mr. —— applied to the right "hon. Mr. ——, for his interest for a certain "lucrative post in America. The gentleman was "informed that a thousand pounds placed in the

"hands of Mrs. —— would insure him the "place. Mr. —— not having the money, pre- "vailed on col. —— to join with him in a bond "for that sum to the lady to whom he was di- "rected. So far, sir, all is in the common "track: what follows is the wonderful part of "the transaction. This lord of the treasury "kept his word, and the gentleman was ap- "pointed to the office he had paid for! and "stranger still, lord ——, who discovered this "bargain and sale, is offended at it, and insists "on the dismission of this lord of the treasury. "Now, sir, I must entreat you to favour one of "your constituents with the name of this lord "of the treasury; for you, no doubt, who sit "at that board yourself, must be acquainted "with him.

"A Freeholder of Surrey."

To this insinuation, which doubtless must have been equally abhorrent to his station and his nature, the following answer was given, a few days after, by the representative for Surrey.

"TO THE PRINTER OF THE PUBLIC ADVERTISER.

"*July* 16.

"SIR,

"HAVING just now read a letter containing, "by evident insinuation, a most audacious at- "tack upon my character, printed by you, in "your paper of Friday last, asserting a gross "and infamous lie from beginning to end; I do "hereby publicly call upon you to name the "person from whom you received the account "you have presumed to publish. If you are "either unable or unwilling to do this, I shall "most certainly treat you as the author, and, "in justice both to myself and others, who are "every day thus malignantly and wickedly vili- "fied, shall take the best advice in the law, if "an action will not lie for such atrocious defa- "mation, and if I may not hope to make an "example of the author of it.

"The scurrility in general which has been of "late so heaped upon me in the public papers, "I have hitherto treated with the contempt my "friends and myself thought it deserved, and "suffered it to pass with impunity; but this last "is so outrageous, and tends so much to wound "my character and honour in the tenderest part,

" that I am determined, if practicable, to see if a " jury will not do me and the public justice " against such a libeller; and whether they will " not think the robbing an innocent man of his " character is a robbery of the most dangerous " kind, and that the perpetrators of it will stick " at nothing.

" For the present, I must content myself with " only laying before the public the two following " letters, which will explain to them all the " knowledge I had of the detestable fraud, which " has been taken advantage of to charge me " with corruption; a crime, which, of all others, " I hold the most in abhorrence. I defy the " whole world to prove a single word in your " libellous letter to be true, or that the whole is " not a barefaced, positive, and entire lie.— " That it is so, I do assert, and I call upon any " body, if they can, to disprove what I say.

" GEORGE ONSLOW."

" COPY OF A LETTER TO MR. ONSLOW.

" *New Bond Street, June 25,* 1769.

" SIR,

" I BEG you will pardon my thus addressing " you, a liberty I could not think of, was any " thing less than my family's bread at stake.—

" Some weeks past, my husband paid a large sum " of money, which gave us inexpressible sorrow " to raise, to a party, who protest they are em- " powered by you to insure him, in return, the " collectorship of Piscataway in New Hamp- " shire. I have been told this day one Hughes " is in possession of the same, and the treasury " books confirm the news. I beg leave most " earnestly to entreat you will inform me whether " Mr. Hughes is under any engagement to re- " sign, or whether we are duped by those who " have taken our money.

" Mr. Burns has had the strongest recom- " mendations from persons of undoubted vera- " city, and I believe, on all accounts, will be " found to be perfectly capable and worthy of " the employment.

" Once more I entreat, good sir, you will ex- " cuse this trouble, which is caused by a heart " almost broken with the fear and terror of a " disappointment.

" With the profoundest respect,
" I am, sir,
" Your most obedient
" humble servant,
" MARY BURNS."

"MR. ONSLOW'S ANSWER.

"*Ember Court, June* 27, 1769.

"MADAM,

"YOUR letter was brought down to me "hither only to-day, or I should have answered "it sooner. Without having the honour of "being known to you or Mr. Burns, it gives me "much concern that any body should be so im- "posed upon as you have been, and as much "indignation, that my name should be made so "infamous a use of. I should have been under "an equal degree of surprise, had I not this "morning had some intimation of the matter "from Mr. Pownall and Mr. Bradshaw, and "made some inquiry into it of Mr. Watkins at "Charing Cross, with a determination to sift "this shocking scene of villainy to the bottom; "and which I shall now be encouraged in by "the hopes of getting your money restored to "you, as well as the earnest desire I have to "bring the perpetrators of this roguery to the "punishment and shame they deserve.

"For this purpose, might I beg the favour of "Mr. Burns to meet me at my house in Curzon "Street about ten o'clock on Friday morning, I "will go with him to Mr. Pownall's, of which I

" have given him notice; and I wish Mr. Burns
" would bring with him Mr. Watkins, or any
" body else that can give light into this unhappy
" and wicked affair.

" Till this morning I never in my life heard a
" single word of either the office itself, nor of
" any of the parties concerned: you will judge
" then of my astonishment, and indeed horror,
" at hearing of it to-day from Mr. Bradshaw.

" I am, madam, &c.

" GEORGE ONSLOW.

" P. S. Since the writing of the above letters,
" more of this fraud has been detected, and far-
" ther inquiry is making, in order to bring the
" actors in it to justice. A woman of the name
" of Smith, who lives near Broad Street, is the
" person who appears to be principally concerned
" in the fraud, the money being, it seems, for
" her use."

The following bitter and sarcastic rejoinder appeared immediately after, in the same paper, and contributed not a little to draw the attention of the public to a correspondence so new and singular in every point of view.

"TO THE RIGHT HON. GEORGE ONSLOW.

"GOOD SIR,

"IF with another INNOCENT man, lord Holland, you, too, were ambitious to add to the list of Mr. Walpole's right honourable authors, you might, like him, have exposed yourself with more temper, and have called names in better English.

"I should be sorry to libel you by mistaking your meaning, but the strange manner of wording your first sentence leaves me at a loss to know whether you intend that my letter, or —— your own character 'is a gross and infamous lie from beginning to end.'

"You may save yourself the expense of taking 'the best advice in the law.' Depend upon it you can never 'hope to make an example of the author, when the publisher is unable or unwilling to give up his name.' And you need not wait for a jury to determine, that 'robbing a man is certainly a robbery.' But you should have considered, some months since, that it is the same thing whether the man be guilty or innocent; and whether he be robbed of his reputation or ——— of his seat in parliament.

"In the Public Advertiser of Friday, July 14, "there is a letter FROM you as well as TO you. "If that is the *scurrility* you speak of, I agree "with you, that it has been treated *with the con-* "*tempt it deserves* by all the world; but how you "can say that it has passed with *impunity* I own "I cannot conceive, unless, indeed, you are of "opinion with those hardened criminals who "think that, because there is no corporal suffer- "ance in it, the being gibbetted in chains, and "exposed as a spectacle, makes no part of their "punishment.

"The letter written by you to Mr. Wilkes, "tends more 'to wound your character and "honour' than any other, and yet you pass it "over in silence. But you shall, if you please, "prove to the world, that those who have neither "character nor honour, may still be wounded in "a very tender part——their interest. And I "believe lord Hillsborough is too noble to suffer "any lord of the treasury to prostitute his name "and commission to bargains like that I have "exposed; but will, if he continues to preside "at the board of trade, resolutely insist either "on such lord's full justification or dismission. "——*Hinc illæ Lachrymæ.*

"You 'defy the whole world to prove a single "word in my letter to be true; or that the whole

" is not a barefaced, positive, and entire lie.'
" The language of the last part of this sentence
" is such as I can make no use of, and therefore
" I return it back on you to whom it belongs:
" the defiance in the first part I accept, and will
" disprove what you say.

" My letter can only be false in one particular,
" for it contains only one affirmation, namely,
" that I heard the story I relate from very good
" authority. It then concludes with a question
" to you of—who is this lord of the treasury that
" so abhors corruption? Which question since
" you have answered, I too will gratify you,
" and, in return for yours, do hereby direct the
" printer to give you my name; which, humble
" as it is, I should not consent to exchange with
" you in any other manner.

" Now, sir, I do again affirm, that I heard the
" story from the best authority: and that it is
" not my invention your own letter is a proof,
" for I might have heard it either from Mrs.
" Burns, or from Mr. Pownall, or Mr. Bradshaw,
" but I heard it from better authority. I go
" farther, I do still believe the story, as I related
" it, to be true; nor has any thing you have said
" convinced me to the contrary. I do not
" mean to charge you or any one; but since
" you have condescended to answer my former

" question, be kind enough to explain what fol-
" lows.

" Mr. Pownall is secretary to the board of
" trade. Mr. Bradshaw is secretary to the
" treasury. Why did these secretaries come
" together to you? Were they sent by their
" principals or not? Who first detected this very
" scandalous, though very common traffic? Has
" not lord Hillsborough that honour? And is
" not your exaggerated 'abhorrence of corrup-
" tion, your astonishment, and indeed HORROR
" at this shocking scene of villainy,' vastly
" heightened by the calm, and therefore un-
" suspected disapprobation of his lordship; who
" does not seem to think with you, that every
" whore should be hanged alive; but only that
" they should be TURNED OUT of honest com-
" pany.

" How came you so instantly to entertain hopes
" of getting the money restored to Mrs. Burns?
" when you declared, that 'till that morning,
" you never in your life heard a single word of
" either the office itself, nor of any of the parties
" concerned.' Jonathan Wild used to return
" such answers, because he knew the theft was
" committed by some of his own gang.

" You pretend to have given to the public 'all
" the knowledge you have of this detestable

" fraud.' I cannot believe it, because I find " nothing in your letter on which to ground your " hopes of restoring the money to Mrs. Burns; " and, especially, because in three weeks after " this letter, *i. e.* from June 27, to July 18, you " have only discovered, that 'Mrs. Smith ap- " pears to be principally concerned in this de- " testable fraud, the money being it seems for " her use.' Sir, do you not know WHOSE Mrs. " Smith is? And are you not acquainted with " that gentleman? Have you caused Mrs. Smith, " or any one else, to be taken into custody? " Have you taken 'the best advice in the law, " and are you determined to see if a jury will " not do you and the public justice' for this de- " testable fraud? Or is there yet left one crime " which you abhor more than corruption; and " for which you reserve all your indignation? " But why this anger? He that is innocent can " easily prove himself to be so; and should be " thankful to those who give him the opportu- " nity by making a story public. Malicious and " false slander never acts in this open manner; " but seeks the covert, and cautiously conceals " itself from the party maligned, in order to " prevent a justification.

" If any persons have done your character an " injury by a charge of corruption, *they* are most

" guilty who so thoroughly believed you capable
" of that crime, as to pay a large sum of money
" on the supposition: (an indignity which I
" protest I would not have offered to you, though
" you had negotiated the matter, and given the
" promise yourself.) And yet I do not find you
" at all angry with them when they tell you their
" opinion of you without scruple. On the con-
" trary, you pity Mrs. Burns in the kindest
" manner, which shows plainly that your honour
" is not like Cæsar's wife. Nay, you seem almost
" to doubt, whether you 'might beg the favour
" of Mr. Burns to meet you at your house in
" Curzon Street;' that is, you humbly solicit
" Mr. Burns to do you the *favour* of accepting
" your assistance in the recovery of his money.

" Archbishop Laud thought to clear himself
" to posterity from all aspersions relative to
" popery, by inserting in his Diary his refusal
" of a cardinal's hat, not perceiving the disgrace
" indelibly fixed on him by the offer. 'Mr.
" Burns has had the strongest recommendations
" from persons of undoubted veracity, and I
" believe on all accounts will be found to be
" perfectly capable and worthy of the employ-
" ment." The letter from Mrs. Burns to you
" does, by no means, declare her to be an idiot.
" Colonel —— (whom you forbear to mention,)

"is a man of sense, and well acquainted with "the world. It is strange they should all three "believe you capable of this crime, which, 'of "all others, you most hold in abhorrence.'

"Mr. Pownall, Mr. Bradshaw, and their prin- "cipals, are supposed to know something of "men and things, and therefore I conclude they "did not believe you concerned in this business: "though I wonder much, that, *not* believing it, "both the secretaries should wait on you so "seriously about it; but perhaps they may think "that when honour and justice are not the rules "of men's actions, there is nothing incredible "that may be for their advantage.

"But, sir, whatever may be their sentiments "of you, I must entreat you to entertain "no resentment to me. My opinion of your "character would never suffer me to doubt your "innocence. If, indeed, the charge of corrup- "tion had been brought against a low and "ignorant debauchee, who, without the gratifi- "cations and enjoyments of a gentleman, had "wasted a noble patrimony amongst the lowest "prostitutes; whose necessities had driven him "to hawk about a reversion on the moderate "terms of one thousand for two hundred; whose "desperate situation had made him renounce his "principles and desert his friends, those princi-

" ples and those friends to which he stood in-
" debted for his chief support; who, for a paltry
" consideration, had stabbed a DEAR OLD FRIEND,
" and violated the sacred rights of that grateful
" country that continued to the son the reward
" of his father's services. If the charge had
" been brought against such an one, more fit to
" receive the public charity than to be trusted
" with the DISPOSAL and MANAGEMENT of the
" public money, small proof would have been
" sufficient; and, instead of considering it as a
" crime the most to be abhorred, we might have
" suffered corruption to pass amongst the virtues
" of such a man.

" But yours, sir, is a very different character
" and situation, in the clear and unincumbered
" possession of that paternal estate with which
" your ancestors have long been respectable;
" with a pension of three thousand, and a place
" of one thousand a year; with the certain
" prospect of lord O——'s large fortune, which
" your prudence will not anticipate; grateful to
" your country, faithful to your connexions, and
" firm to your principles, it ought to be as diffi-
" cult to convict you of corruption as a cardinal
" of fornication; for which last purpose, by the
" canon law, no less than seventy-two eye-wit-
" nesses are necessary.

"Thus, sir, you see how far I am from casting any reflection on your integrity: however, if, notwithstanding all I have said, you are still resolved to try the determination of a jury, take one piece of advice from me: do not think of prosecuting me for an INSINUATION: alter your charge before it comes upon record, to prevent its being done afterwards; for though lord Mansfield did not know the difference between the words when he substituted the one for the other, we all know very well now that it is the TENOR, and not the PURPORT, that must convict for a libel, which, indeed, almost every student in the law knew before.

"A FREEHOLDER OF SURREY."

As this letter was obviously an aggravation of the original attack, Mr. Onslow, who had by this time, perhaps, discovered himself unequal to a literary controversy with his unknown antagonist, determined to appeal to the laws for protection. Accordingly, on application to Mr. Henry Sampson Woodfall, the printer, for the name of the author, the reply was: "The rev. Mr. Horne, and he has authorised me to tell you so." Immediately on this, instructions were given to commence an action against that gen-

tleman, and, greatly to the credit of the plaintiff, who had his choice of proceedings, this did not prove a prosecution at the suit of the king, on which occasion, the criminality and tendency of the supposed libel to disturb the public peace, would have been the only subjects for consideration: but a civil suit, in which the accusation must appear to be false as well as scandalous, in order to entitle the plaintiff to compensation. The damages were laid at ten thousand pounds.

The trial took place at Kingston, on Friday, April 6, 1770, before sir William Blackstone, and a common jury of the county of Surrey, when Mr. serjeant Leigh opened the case in behalf of the plaintiff. After briefly and ably stating the high rank and dignified situation of his client, he insisted, that the publication in question, was a cruel and unjust attack on the character of that gentleman, not by a "common scribbler," but a man of abilities, "surrounded by friends, well known to the world, and considerable enough to be taken notice of." He added, "that it became Mr. Onslow, either to sink under this imputation, gross and false as it is, or to vindicate himself to a jury of his country; and as for damages, he hoped they would be such as shall convince men for the future, that, let their wit, capacity, or connex-

ions be what they may, they shall not dare to prostitute them to so bad a purpose, as to attack wantonly, and without foundation, their neighbour's reputation."

On the examination of Mr. Woodfall, it appeared that the *first* letter, printed in No. 10,913, of the Public Advertiser, was the only one he was authorized by the defendant to acknowledge, and the only one, concerning which the plaintiff had inquired. The second appeared in another paper, and the printer had been induced to publish it, in consequence of a note written, as he believes, by Mr. Horne, which could not now be produced.

On this, Mr. serjeant Glynn objected to any verbal account being given of a written paper not produced in court, not destroyed by inevitable accident, or suppressed by the fraud of the defendant, the only two cases wherein a person is permitted to give parole evidence. He added, "that the witness rested upon the testimony he was then giving, and of the conviction he hoped to obtain, to screen himself from prosecution; and this was not surely a case, when the common, ordinary, established principle of law is to be departed from."

Mr. justice Blackstone declared his opinion, "that evidence should not be given upon

memory of the hand-writing of a letter that is not produced, merely upon the comparison and similitude of hands; and, if it rested on that evidence, he could not permit the printed letter to be read as Mr. Horne's, without producing the written one."

Mr. Woodfall being again called, observed, that, in general, he never kept letters, as it would require a room as big as the largest barn in the county to hold them—that he had lately moved from one house to another, on which occasion, he supposes, the letter in question had been destroyed—and that he had searched for but could not find it.—On his cross-examination, he acknowledged, that even the *first* letter was not published according to Mr. Horne's direction—and that there was a material variation, consisting of the addition of esq. in the first line.

Mr. Messing, who was also of counsel for Mr. Horne, remarked, that Mr. Onslow had undertaken to prove the *tenor*, and in this case, if there is any variation, however small, it would set aside this action: "There is a case*, where the word was *nor*, for *not*, the sense not being in the least altered, and the determination of the court was, that this variation was fatal. In the

* Queen and Drake, reported in Salkeld, 660.

present instance there was also a variation, for it is written 'Ash Court, 11 July' in the paper just read, whereas it is the '11th' in the record, which comes within the objection cited."

On an appeal to the court, it was decided, "that they ought to prove the alledged libel mentioned in the declaration *literatim* in the words, letters, and figures; if I admit the variation of a single letter," adds the judge, "I do not know where to stop: if it is undertaken to prove the *tenor* of a libel, it must appear to be literally and numerically the same. Here, the party has not declared on the *purport*, which would have altered the matter. I cannot make a case of it, as desired, for then there must be a verdict for the plaintiff, which my brother Glynn will not consent to; but a motion may be made to set aside the nonsuit and obtain a new trial, upon the ground of my being mistaken in point of law."

In consequence of this decision, Mr. Horne escaped with impunity for the present; but a new trial was soon after moved for in the court of King's Bench, on the ground of "misdirection on the part of the judge." After hearing counsel on both sides, this was granted; the usual preliminary steps were taken; and, issue being once more joined by the parties, the cause

was set down for hearing, at the ensuing Surrey assizes, before a special jury. On that occasion, a new count was added to the former declaration, for "defamatory words" spoken before the freeholders of the county against one of their representatives.

Although the defendant did not plead his own cause, yet he interested himself greatly in all the proceedings; and, notwithstanding his high opinion of the abilities of his advocates, he differed with them about the mode of conducting the suit. It finally appeared, indeed, that he was right as to an essential point of practice, for they were overruled, as he had foreseen, by the chief justice.

The earl of Mansfield, who presided on this occasion, was accused by Mr. Horne of hurrying on the cause a considerable time before the hour at which the jury had been summoned to attend, and in consequence of this *talesmen* were recurred to, for the purpose of filling up the places of five special jurors, who had not yet arrived. Be this as it may, serjeant Glynn and Mr. Messing, both of whom had been again retained, insisted on the impropriety of prosecuting a constituent for making a charge openly, and in the face of his representative who had thereby an opportunity of clearing himself, if innocent.

They also contended, that no action for *words* will lie unless specific damages were proved; and, above all, it was strongly and repeatedly asserted by them, that the evidence respecting the letters was insufficient and directly in opposition to all the received maxims of law. Notwithstanding this, the chief justice, in his charge, strongly urged the great impropriety, scandal, &c., of the various accusations made, and the defamatory libel uttered by the defendant, after which the jury gave a verdict for the plaintiff, with four hundred pounds damages.

Undaunted at the result, and doubtless rejoicing at an opportunity of contending with, and perhaps foiling this learned and eloquent judge at his own weapons, Mr. Horne determined to appeal to a superior tribunal. Accordingly, on November 8, 1770, a rule was moved for in the court of Common Pleas, to show cause, why the second verdict should not be set aside, and the 26th of the same month was the day appointed for an argument on the question, before the twelve judges. Mr. serjeant Glynn, on this occasion, re-stated his former reasons with his usual ability, and insisted, that the last jury had acted not only under *misdirection* on the part of the judge, but that the latter had delivered a charge to them, in express violation

of the received principles of law. As this was deemed a point of great importance, to prevent a hasty decision, and give ample time for deliberation, final judgment was adjourned until next term. On the recurrence of that period, the judges, on April 17, 1771, finally and unanimously declared in favour of the defendant, in consequence of which the second verdict was set aside.

This, of course, afforded no small exultation to Mr. Horne, who had directed and superintended the proceedings: as he had thus publicly proved, in the face of the whole nation, that the lord chief justice, great and able as he assuredly was, could not now be considered as infallible: and from this day forward, he took every opportunity to arraign the conduct, underrate the talents, and oppose the opinions of that celebrated man. Nor did his resentment against Mr. Onslow end here; for he opposed him at the next general election, and, being indefatigable in his canvass of the county, and a man of no common influence, contributed not a little to prevent his return. Perceiving the hon. William Norton, now lord Grantley, and who had just returned from his travels, to be a young man of great hopes and promising talents, he warmly seconded his pretensions, which appear to have obtained general

approbation, and that gentleman being accordingly elected, conducted himself so, as to give entire satisfaction to all parties, until, by the demise of his father, he became a peer of the realm.

Junius, who was afterwards one of the bitterest of Mr. Horne's antagonists, at an early period predicted the fate of the controversy. In a private letter* addressed to Mr. Woodfall, dated "Wednesday night, August 16, 1769," he affects to express great contempt for Mr. Onslow; and presumes to add, "depend upon it, he will get nothing but shame by contending with Mr. Horne."

It is but justice, however, to observe, that both lord Hillsborough and Mr. Pownall publicly disavowed all knowledge of this transaction, the suit relative to which is said to have been attended with an expense estimated at not less than one thousand five hundred pounds to the plaintiff, while it cost no more than two hundred pounds to the defendant.

* No. 7, p. 197, vol. i, of the new edit. There also will be found the two letters afterwards alluded to, vindicating the character of Mr. Onslow.

CHAPTER V.

FROM 1770 TO 1771.

Mr. Horne suggests the idea of a Reply to the King, and obtains a Statue for the Lord Mayor. —Founds the "Society for Supporting the Bill of Rights."—Countenances Bingley in his Refusal to answer Interrogatories.

MEANWHILE, the ministers still remained unpopular, and the county of Middlesex, which was deprived of the services of its favourite representative, was eager, on all occasions, to attack their principles and impeach their conduct. On turning to the proceedings of this period, it will be found, that the vicar of New Brentford was not idle. Incited by his usual enthusiasm, he not only acted a conspicuous part on every public occasion, but for a time exercised a kind of paramount jurisdiction over all the political proceedings of that day. A variety of proofs of his influence might be here readily adduced; and the following extract from

an address of the freeholders to the king, moved and carried by him, April 30, 1770, at the Mile End Assembly Room, will at least tend to show, that the language of those times was not deficient in energy.

"Your majesty's servants have attacked our liberties in the most vital part; they have torn away the very heart-strings of the constitution, and have made those very men the instruments of our destruction, whom the laws have appointed as the immediate guardians of our freedom. Yet, although we feel the utmost indignation against the factions, the honest defenders of our rights, and constitution, will ever claim our praise: but that the liberties of the people have been most grossly violated by the corrupt influence of ministers, since the days of sir Robert Walpole, is too notorious to require either illustration or comment."

Not only petitions, but remonstrances to the throne, were at this moment meditated in various places. The counties of Middlesex and Surrey had requested his majesty to dissolve the parliament, in consequence of the illegal rejection of Mr. Wilkes by the house of commons, after having been returned for the fourth time, as knight of the shire. On March 28, 1770, the city of Westminster also voted a remonstrance, in which an allusion was made "to the same

secret and *unhappy* influence to which all their grievances have been originally owing."

Nearly at the same time the lord mayor, aldermen, and livery of the city of London, in common hall assembled, resolved on "an humble address, remonstrance, and petition." But on the sheriffs repairing as usual to St. James's, to know his majesty's pleasure, as to the day when they should attend to present the same, some difficulties were started on the part of the ministers; however, in consequence of the spirited conduct of Mr. Townshend, the senior sheriff, who declined the intervention of the two secretaries of state, and refused to communicate to any other person than the king the subject of their message, an audience was at length obtained. On this occasion the citizens, as usual, complain to the sovereign: "that, under the same secret and malign influence, which, through every successive administration, has defeated every good, and suggested every bad intention, the majority of the house of commons have deprived your people of their dearest rights. They have done a deed more ruinous in its consequences," add they, "than the levying of ship-money by Charles the First, or the dispensing power assumed by James the Second. A deed which must vitiate all the future proceed-

ings of this parliament, for the acts of the legislature itself can no more be valid without a legal house of commons, than without a legal prince upon the throne.

"Representatives of the people are essential to the making of laws, and there is a time when it is morally demonstrable, that men cease to be representatives; the time is now arrived: the present house of commons do not represent the people.

"We owe to your majesty an obedience under the restrictions of the laws for the calling and duration of parliament; and your majesty owes to us that our representation, free from the force of arms or corruption, should be preserved to us in parliament. It was for this we successfully struggled under James the Second; for this we seated, and have faithfully supported, your majesty's family on the throne: the people have been invariably uniform in their object, though the different mode of attack has called for a different defence.

"Under James the Second they complained that the sitting of parliament *was* interrupted, because it was not corruptly subservient to his designs: we complain now, that the sitting of this parliament is *not interrupted*, because it is corruptly subservient to the designs of your

majesty's ministers. Had the parliament under James the Second been as submissive to his commands as the parliament is at this day to the dictates of a minister, instead of clamours for its meeting, the nation would have rung, as now, with outcries for its dissolution.

"The forms of the constitution, like those of religion, were not established for the form's sake, but for the substance; and we call GOD and men to witness, that, as we do not owe our liberty to those nice and subtle distinctions, which places, and pensions, and lucrative employments, have invented; so neither will we be deprived of it by them; but as it was gained by the stern virtue of our ancestors, by the virtue of their descendants it shall be preserved.

"Since, therefore, the misdeeds of your majesty's ministers, in violating the freedom of election and depraving the noble constitution of parliament, are notorious, as well as subversive of the fundamental laws and liberties of this realm; and since your majesty, both in honour and justice, is obliged inviolably to preserve them, according to the oath made to GOD and your subjects at your coronation: we, your majesty's remonstrants, assure ourselves, that your majesty will restore the constitutional government and quiet of your people, by dissolving

this parliament, and removing these evil ministers for ever from your councils."

His majesty, in his answer, was pleased to signify his concern, that any of his subjects should be so far misled, as to offer such an address and remonstrance. He at the same time pronounced the contents to be "disrespectful to him, injurious to his parliament, and irreconcilable to the principles of the constitution."

There can be but little doubt that Mr. Horne was minutely acquainted with every thing relative to this famous remonstrance, and it was then supposed, that, if not the actual penman, he at least inserted some of the most striking passages, and corrected the whole. Indeed, it is a well known fact, that he transmitted a copy of it to the printer of the Public Advertiser, accompanied with an account of the ungracious reception experienced by the citizens. The following forms the concluding passage:

"When his majesty had done reading his speech, the lord mayor, aldermen, &c. had the honour of kissing his hand; after which, as they were withdrawing, his majesty instantly turned round to his courtiers, and *burst out a laughing*.

"'Nero fiddled whilst Rome was burning.'"

For this very imprudent publication, a prose-

cution was immediately commenced on the part of the crown; but after the King's Bench had been moved on this subject, it was deemed proper to drop all further proceedings.

A few days after this transaction, a most loyal address was presented by both houses of parliament to the king, in which the members, in the name of themselves and the people, "reject with disdain every insidious suggestion of those ill-designing men, who are in reality undermining the public liberty, under the specious pretence of zeal for its preservation."

Notwithstanding this, the city, *in its corporate capacity*, nearly at the same time, resolved to draw up and present a new address and remonstrance, which was accordingly effected on the 23d of May, 1770, and read to the king, seated on his throne, by the recorder. As this is known to have been wholly written by Mr. Horne, a copy of it shall be inserted in this place.

"TO THE KING'S MOST EXCELLENT MAJESTY.

"*Th humble Address, Remonstrance, and Petition of the Lord Mayor, Aldermen, and Commons of the City of London, in Common Council assembled.*

"May it please your majesty!

"When your majesty's most faithful subjects, the citizens of London, whose loyalty and affection have been so often, and so effectually proved and experienced, by the illustrious house of Brunswick, are labouring under the weight of that displeasure, which your majesty has been advised to lay upon them, in the answer given, from the throne, to their late humble application, we feel ourselves constrained, with all humility, to approach the royal father of his people.

"Conscious, sire, of the purest sentiments of veneration, which they entertain for your majesty's person, we are deeply concerned that what the law allows, and the constitution teaches, hath been misconstrued into disrespect to your majesty, by the instruments of that influence which shakes the realm.

"Perplexed and astonished as we are, by the awful sentence of censure, lately passed upon

the citizens of London, in your majesty's answer from the throne, we cannot, without surrendering all that is dear to Englishmen, forbear most humbly to supplicate, that your majesty will deign to grant a more favourable interpretation of this dutiful, though persevering claim to our invaded birth-rights; nothing doubting, that the benignity of your majesty's nature will, to our unspeakable comfort, at length, break through all the secret and visible machinations, to which the city of London owes its late severe repulse, and that your kingly justice, and fatherly tenderness, will disclaim the malignant and pernicious advice, which suggested the answer we deplore, an advice of most dangerous tendency, inasmuch as thereby the exercise of the clearest right of the subject, namely, to petition the king for redress of grievances, to complain of the violation of the freedom of election, to pray dissolution of parliament, to point out mal-practices in administration, and to urge the removal of evil ministers, hath, by the generality of one compendious word, been indiscriminately checked with reprimand; and your majesty's afflicted citizens of London, have heard, from the throne itself, that the contents of their humble address, remonstrance, and petition, laying their complaints

and injuries at the feet of their sovereign, cannot but be considered by your majesty, as disrespectful to yourself, injurious to your parliament, and irreconcilable to the principles of the constitution.

"Your majesty cannot disapprove, that we here assert the clearest principles of the constitution, against the insidious attempt of evil counsellors to perplex, confound, and shake them. We are determined to abide by those rights and liberties, which our forefathers bravely vindicated at the ever-memorable revolution, and which their sons will always resolutely defend: we therefore now renew, at the foot of the throne, our claim to the indispensable right of the subject, a full, free, and unmutilated parliament, legally chosen in all its members: a right, which this house of commons have manifestly violated, depriving, at their will and pleasure, the county of Middlesex of one of its legal representatives, and arbitrarily nominating, as a knight of the shire, a person not elected by a majority of the freeholders.

"As the only constitutional means of reparation now left for the injured electors of Great Britain, we implore, with most urgent supplication, the dissolution of this present parliament, the removal of evil ministers, and the total extinction

of that fatal influence, which has caused such a national discontent. In the mean time, sire, we offer our constant prayers to Heaven, that your majesty may reign, as kings can only reign, in and by the hearts of a loyal, dutiful, and free people."

His majesty, who was surrounded by his secretaries of state, the lords of the bedchamber, and a numerous court, immediately delivered the following answer:

"I should have been wanting to the public, as well as to myself, if I had not expressed my dissatisfaction at the late address.

"My sentiments on that subject continue the same; and I should ill deserve to be considered as the father of my people, if I should suffer myself to be prevailed upon to make such an use of my prerogative, as I cannot but think inconsistent with the interest, and dangerous to the constitution of the kingdom."

This answer had been, of course, anticipated, and Mr. Horne, who was determined to give celebrity to the mayoralty of his friend, Mr. Beckford, at the same time that he supported the common cause, had suggested the idea of a reply to the sovereign: a measure hitherto unexampled in our history. Accordingly, the moment the king had concluded, the first ma-

gistrate of the first city of the empire, who was dressed in the robes, and decorated with the insignia of office, instead of kissing hands, as usual, and then withdrawing, immediately approached the throne, and expressed himself nearly as follows, to the great surprise of his majesty, and the utter astonishment of the courtiers who surrounded him:

"Most gracious Sovereign!

"Will your majesty be pleased so far to condescend, as to permit the mayor of your loyal city of London, to declare, in your royal presence, on behalf of his fellow-citizens, how much the bare apprehension of your majesty's displeasure would at all times affect their minds! The declaration of that displeasure has already filled them with inexpressible anxiety and with the deepest affliction.

"Permit me, sire, to assure your majesty, that your majesty has not, in all your dominions, any subjects more faithful, more dutiful, or more ready to sacrifice their lives and fortunes in the maintenance of the true honour and dignity of your crown.

"We do, therefore, with the greatest humility and submission, most earnestly supplicate your majesty, that you will not dismiss us from your presence without expressing a more favour-

able opinion of your faithful citizens, and without some comfort, without some prospect at least of redress.

"Permit me, sire, to observe, that whoever has already dared, or shall hereafter endeavour, by false insinuations and suggestions, to alienate your majesty's affections from your loyal subjects in general, and from the city of London in particular, is an enemy to your majesty's person and family, a violator of the public peace, and a betrayer of our happy constitution, as it was established at the glorious revolution."

Immediately on his return, Mr. Beckford communicated this novel circumstance to the members of the corporation, and dying soon after, by an unanimous vote of the city, a statue of their chief magistrate was erected on purpose to commemorate the event. The lord mayor, adorned with his robes of office, is represented in the attitude in which he addressed the throne; while the speech in reply, delivered by him on this singular occasion, is engraved in golden characters on the pedestal. This, as Mr. Horne lately acknowledged to me, was *his* composition, and in consequence of that circumstance he was accustomed to exclaim, "that he could not be deemed a vain man, as he had obtained statues for others, but never for himself!"

On this, as on the former occasion, he inserted a description of the procession, the speech of the recorder, and the rejoinder of the lord mayor, in the newspapers. No one was better calculated to give copies of those harangues than the person who had furnished the originals; and as to the occurrences at St. James's, he was enabled to detail the particulars from the lips of the members of the deputation. He concluded with the following satirical passage, conveyed under the form of a N. B.

"The writer of the above account having given great offence to some persons, by inserting, in a former paper, that *Nero fiddled whilst Rome was burning*—and an information having been filed by the attorney-general against the printer in consequence, he takes this opportunity to declare, that it was not his intention to falsify an historical fact, or to give offence to better memories; he hopes, therefore, that it will be admitted as a recompence, if he now declares, that Nero *did not* fiddle whilst Rome was burning."

Soon after this, the Grafton administration evinced symptoms of a speedy dissolution; and the politicians and men of letters, who had so long and so inefficaciously waged war against the measures of the duke, attributed, perhaps, more than

a due share of the victory to their long, violent, and incessant attacks. Their triumph, however, proved but of short duration; for neither the Rockingham nor Shelburne parties were admitted to the confidence of their sovereign. The great seal, which had been confided for a few days to the hands of Mr. Yorke, who died suddenly, was next entrusted to lord Apsley, while the earls of Sandwich and Rochford became secretaries of state. Lord North, at the same time, seized the helm, which he retained for a succession of years; and at last, when surrounded by shoals and quicksands, not only contrived to escape, but, by admitting a partner in command, was lucky enough to resume, for a time, his wonted ascendancy.

At this period, the subject of these memoirs appears to have supported that party which consisted of his friends Dunning and Townshend, colonel Barré, and a few others, less conspicuous for their numbers than their zeal and talents. With the nobleman at the head of it, he had been long connected, and at this period entertained the highest esteem for him. The earl of Shelburne had lately evinced equal dignity and disinterestedness by retiring from office, when he thought that he could no longer act either with honour to himself or advantage to his country;

and his lordship was now once more a candidate for public favour, which, at that day, was considered the readiest avenue to public employment. But he was a cautious politician, fearful of giving offence, and shy of personal responsibility, even in respect to those measures connected with his future views. Although the popular arsenal had furnished him with arms wherewith to annoy his enemies, and he himself, on great occasions, brought forth the whole opposition park of heavy artillery against the treasury bench; yet he would not fetter his future conduct, or impede his present views, by means of promises implying amendment: and it was in vain that Mr. Horne, taught distrust by experience, demanded pledges of fidelity in behalf of the commonwealth.

It was about this time that the zeal of this industrious politician contrived a new mode of attack on an administration, which was peculiarly odious to him, and, it must be fairly confessed, not a little obnoxious to the nation at large. Tacitus has observed, with his usual penetration, that the spirit of resistance first displays itself in great cities, as in these, men possess frequent opportunities of comparing grievances and forming plans for the redress of their real wrongs. And this effect was now

actually produced in the British capital by the ministers themselves, who had driven the earl of Chatham into retirement, and given to their disputes with Mr. Wilkes the air of a personal contest between the king and a subject. In addition to this, they had made use of their influence in the house of commons, not only to set that body at variance with its constituents, but even to commit an act of such flagrant injustice, that it was afterwards rescinded from the records of parliament.

The decision concerning the illegality of general warrants, and the frequent but unavailing petitions and remonstrances from a number of counties, cities, and boroughs, respecting the Middlesex election, trifling as the object may now appear, tended not a little both to raise and to aggravate the public clamours. The minority, too, partly from principle, and partly also, perhaps, from the hope of supplanting its more fortunate rivals, joined in the general outcry; while the name of Pitt, although now on the decline, still continued to give dignity to the common cause, and Wilkes, become more daring, as well as more dangerous by persecution, had attained the zenith of his popularity.

This was deemed a favourable conjuncture, therefore, to organize a new, as well as formi-

dable species of opposition, and, by means of political associations, to concentrate the hitherto unheeded resentments and influence of a number of scattered individuals into one formidable mass, which, without either the forms or restraints of a body politic, should produce all the spirit, zeal, and effect of a great corporation. Clubs, such as these alluded to, seem to have been unknown to the free states of antiquity, the inhabitants of which usually recurred to arms in the first instance, and fought rather than deliberated. Like the press, they constitute a modern and formidable engine, and have accordingly been viewed with a certain degree of jealousy by every government. These institutions, which may be traced to Italy during the middle ages, appear to have originated in this country about the time of the civil wars, and the first one, perhaps, mentioned in our history, is the "Rota," in which questions were finally decided by means of a ballot *.

A multitude of associations of this kind had been suddenly created, and were either denominated after the places in which they assembled, such as, "Appleby's" and the "Standard Tavern," or designated by the views of the leading members, like the "Antigallicans," the "Retrospec-

* See the Life of Harrington, prefixed to the "Oceana."

tion," &c. These being generally more numerous than respectable, it was at length determined, in 1769, to form one, which should have for its main object the preservation of the constitution, as it had been established at the Revolution, and at the suggestion of Mr. Horne, who may be considered as the founder, it assumed the denomination of the "Society for supporting the Bill of Rights." This met at stated times, at the London Tavern, and the following appear to have been the original members:

Sir John Bernard, bart.
Sir Francis Blake Delaval, K. B.
Sir Joseph Mawbey, bart.
Mr. serjeant Glynn, M. P. for the county of Middlesex.
Lord Mountmorris.
Rev. Dr. Wilson, rector of St. Stephen, Walbroke.
Rev. John Horne.
Mr. serjeant Adair, afterwards recorder of London.
The alderman Wilkes, M. P. for Middlesex.
———— Sawbridge, M. P. for London.
———— Oliver, M. P. for London.
———— Townshend, M. P. for Calne.
Robert Morris, esq. a barrister, was chosen honorary secretary; and
William Tooke, esq. treasurer.

This society was originally instituted for the express purpose of supporting all those whose rights had been violated, whose fortunes had been injured, or whose persons had been seized and imprisoned, in opposition to the laws of the land. The members were few at first, but respectable both for wealth and talents. Their meetings, their speeches, their resolutions, and, above all, their subscriptions, were attended with powerful effects. They inflamed the zeal of each other; they inspired the public mind with energy, vigour, and resentment; they supported those who were doomed to expiate their political offences by a rigorous imprisonment; and they found means to agitate some critical questions in the courts of justice, the decision of which was attended with wonderful effect. Mr. Horne, as has already been intimated, was a leading man in this society; and there is reason to suppose, that he either drew up the whole or part of the following instructions, intended to be presented by way of *test*, to all candidates, before their election to serve in parliament.

Resolves of the supporters of the Bill of Rights, on the 23d of July, 1771, at the London Tavern:

1. You shall consent to no supplies, without a previous redress of grievances.

2. You shall promote a law, subjecting each candidate to an oath against having used bribery, or any other illegal means of compassing his election.

3. You shall promote, to the utmost of your power, a full and equal representation of the people in parliament.

4. You shall endeavour to restore annual parliaments.

5. You shall promote a pension and place bill, enacting, that any member who receives a place, pension, contract, lottery-ticket, or any other emolument whatsoever from the crown, or enjoys profit from any such place, pension, &c. shall not only vacate his seat, but be absolutely ineligible during his continuance under such undue influence.

6. You shall impeach the ministers who advised the violating the right of the freeholders in the Middlesex election, and the military murders in St. George's Fields.

7. You shall make strict inquiry into the conduct of judges, touching juries.

8. You shall make strict inquiry into the application of the public money.

9. You shall use your utmost endeavours to have the resolution of the house of commons expunged, by which the magistrates of the city

of London were arbitrarily imprisoned, for strictly adhering to their charter and their oaths; and also that resolution, by which a judicial record was erased to stop the course of justice.

10. You shall attend to the grievances of our fellow-subjects in Ireland, and second the complaints they may bring to the throne.

11. You shall endeavour to restore to America the essential right of taxation, by representatives of their own free election; repealing the acts passed in violation of that right since the year 1763; and the universal excise, so notoriously incompatible with every principle of British liberty, which has been lately substituted in the colonies, for the laws of customs.

Junius, who, about this time, not only enjoyed a high degree of celebrity, but also of estimation, praises this institution; affirms it already had been of signal service to the public, and wishes to promote a similar plan, for the formation of constitutional clubs throughout the kingdom.

The publications and donations of this society, appear, indeed, to have produced a wonderful effect on the public mind. It was in this, and similar assemblies, that the question relative to the Middlesex election, by being frequently debated, still continued to harass ministers, and irritate the people against them. It was there,

also, that the doctrine of interrogatories was first probed to the quick; that the right of commitment on the part of the house of commons was originally agitated, and rendered doubtful; while, by the spirited intervention of the members, a humble mechanic, with right on his side, was enabled to foil the lord chief justice of England.

By means of this association, the press was enabled to contend on more equal terms against the current of power. The printers of three popular newspapers* were encouraged and supported by its votes and its bounty; and it not unfrequently happened, that a sentence of the court of King's Bench, instead of overwhelming with poverty, contributed not a little to the prosperity of the delinquent. In consequence of its unabating exertions, too, the debts of Mr. Wilkes, to a very large amount, were either paid or compounded; and it seems to have been the general intention, not only to have cleared him from all incumbrances, but to have crowned

* 1. The London Evening Post, printed for Miller, who was repeatedly prosecuted, fined, and imprisoned, without producing any other effect whatever, but an increase of zeal.

2. The Public Advertiser, published by Henry Sampson Woodfall.

3. The Middlesex Journal.

the whole, by purchasing a large annuity, which, together with the remainder of his fortune, would have placed him equally above want and meanness.

But this society, originally intended for general purposes, was at length narrowed, by the arts of a few interested persons, into a committee, for the exclusive benefit of a single individual. Mr. Horne, although he had taken an active part to promote the success and relieve the distresses of Mr. Wilkes, was of course indignant at the idea. In addition to this, at that very moment, he had two favourite plans in view, connected with each other and with the common cause; both of which he wished to be powerfully supported by the influence, the reputation, and the treasury of the Bill of Rights. One of these respected a point of law intimately connected with the liberty of the subject; the other had for its object the freedom of the press, and the right of the constituents to become acquainted with the deliberations of their representatives on public affairs. Of these two questions, he wished to agitate the former immediately.

A printer, of the name of Bingley, had been prosecuted for publishing a letter, from Mr. Wilkes, reflecting on the administration and

the courts of justice. On this occasion, the evidence being too defective for conviction, lord Mansfield adopted a novel, and, as it finally proved, an illegal mode of proceeding, never before practised since the abolition of the star chamber: for, in express defiance of that noble principle of English jurisprudence, which wisely and humanely precludes a party from criminating himself, this great man, had been induced from his hatred to libels, by which his own character was now almost daily assailed, to examine this person, and, if possible, extract a confession of guilt from his own mouth. He accordingly made a *rule of court*, for this express purpose, and appointed a day to answer certain questions, on failure of which, he was to be committed for contempt.

The doctrine of conviction, by means of interrogatories, here alluded to, is familiar to the imperial law, in which, the intervention of a jury, that noble bulwark of gothic liberty, is unknown, an arbitrary power of decision being placed in the breast of a single man. This mode of proceeding was at length adopted in the ecclesiastical courts of this country, and continued for ages, until it was enacted by statute *, that it shall not be lawful for any bishop or ecclesi-

* 13 Car. II, c. 12.

astical judge, to tender, or administer to any person whatsoever, any oath, whereby he may be compelled to confess, accuse, or purge himself of any criminal matter, by which he might be liable to punishment. Our municipal tribunals, indeed, never once entertained the idea of obliging a man to disclose his own guilt; but the learned judge, just alluded to, chose to consider this particular case, as a flagrant *contempt of court*, on which occasion, an attachment usually issues, and the party must either stand committed, or put in bail, in order to answer upon oath to such interrogatories as shall be administered to him, for the better information of the judges presiding.

Such was precisely the case of Bingley, and a man less resolute would have sunk under the pressure of authority. Even he, perhaps, might either have been terrified, or persuaded to yield, but for the subject of this memoir, who held out the prospect of fame and of advantage; and, at length, succeeded in giving the appearance of a public, and even a national cause, to what at first had been a mere act of self defence, on the part of an obscure mechanic. The vicar of New Brentford rejoiced at an opportunity of once more entering the lists with this eminent judge; and, by long study and painful research,

had endeavoured to qualify himself for the arduous contest. After tracing the stream of our laws to their fountain-head, and drinking at the source, he conceived that they had been rendered obscure and sophisticated in their descent. He had long viewed the conduct of the earl of Mansfield with a suspicious eye, and, on comparing his doctrines with those of lord Coke and the celebrated men of former times, he thought he had discovered certain assumptions of power, neither justified by the text nor the practice of our ancient institutions. He rejoiced, therefore, at the happy occasion, now presented by fortune, to vindicate the principles of our municipal code, and, if possible, to humble a nobleman, whom he was pleased afterward to compare, not only to the Tresylians, the Keylings, and the Scroggs, but even to the Jefferies of former days.

Nor was he on this occasion wholly disappointed. Having called on the object of prosecution, he communicated his opinion of the injustice committed in respect to him, and found means to inspire this man with a stubborn determination to resist. Proud of the protection and encouragement he now received, fully convinced that he was correct in point of law, and holding himself forth as a martyr for liberty,

at a time when all such were sure of support, this printer, hardly serious at first, and who might at any time have been liberated on a slight acknowledgment, now evinced all the courage of a hero. Flaming with zeal, he not only braved the rigours of a long confinement, but actually found means to take a voluntary oath, before a magistrate, in which he swore, "sooner to perish in a jail than violate the freedom of his native country, by answering to interrogatories, *unless put to the torture:*" a resolution from which he never once swerved.

This person was now in the third year of his imprisonment, and the vicar of New Brentford, who had occasionally supplied his necessities, determined to obtain a large subscription for, and thus fully indemnify him, for the losses he had sustained. Several opulent and respectable men had come forward on this occasion, and advanced sums to a considerable amount; but the name and influence of the "Bill of Rights" was still wanting. This, however, was supposed to follow of course; and no doubt, indeed, could have been entertained of it, but for the interposition of that very person, for whose writings the printer had already experienced a long and unprecedented confinement, and who now affected to think, and to declare, that the society

was solely devoted to his support, and pledged for the relief of his necessities alone. Accordingly, when it was moved, "that a subscription, to the amount of five hundred pounds, be opened for Mr. Bingley, for having refused to answer interrogatories, and submit to the illegal mode of attachment," the patriotic alderman, his brother, his attorney, and a great body of his friends, found means to negative the proposition, although it had been repeatedly urged, that it was extremely politic at that moment, in order to encourage the printers to resist the menaces of the house of commons, and that the abandonment of this spirited individual to his fate, would inevitably produce doubt, distraction, and despondency.

Bingley, however, was amply rewarded for his zeal and perseverance; and, while he himself thus acquired a certain degree of consequence, he became, at the same time, the humble, but meritorious instrument of great and lasting advantages to the community at large. Before such a cause, supported with such intrepidity and resolution, even lord Mansfield himself was at length obliged to succumb. Tired with a struggle, which, while it laid him open to the most invidious accusations, on the part of his enemies, seemed to tarnish the lustre of his re-

putation, in the eyes of his friends, and alarmed also, perhaps, at the threats of parliamentary investigation, he at length reluctantly consented to yield. The attorney-general was, therefore, instructed to move the court of King's Bench, for the discharge of the prisoner; and the latter was accordingly restored to his liberty, his family, and society, neither ruined nor dismayed by a personal contest with the greatest chief justice which England had beheld since the days of lord Coke *. Thus, to the pertinacity of a petty artisan, aided, counselled, and supported by the minister of New Brentford, the nation is indebted for the abolition of a practice, unsanctioned by our admirable municipal code; and which, although it might have oc-

* On this occasion, an appearance of much legal coquetry was displayed, between the Court of King's Bench, and one of the crown lawyers, about who should undergo the ridicule of permitting the prisoner to escape.

The attorney-general, who had moved to bring up Bingley, observed, "that he had nothing to pray against the defendant;" but lord Mansfield, after a solemn pause, replied, "that if he moved nothing, nothing could be done, and every thing would remain as it was, in consequence of which, the defendant would still be in custody, as the court never acted but upon motion from without."

Mr. Attorney, at length took the whole business upon himself, and moved in the regular manner for his discharge, which was immediately assented to by the lord chief justice.

casionally entrapped a criminal, would have rendered the laws nugatory, and innocence itself insecure.

The dispute concerning this individual was productive of a variety of remarkable, although far inferior events, particularly the dissolution of the club, known by the denomination of the "Supporters of the Bill of Rights." This was immediately followed by the institution of the "Constitutional Society," consisting chiefly of the most respectable of the old members, with an exclusion, however, of the Wilkites; and doubtless gave birth to the "Whig Club," the "Friends of the People," and the "London Corresponding Society," in after times. Other results, which followed this singular contest, will be noticed hereafter; more especially the paper-contest, between the two chiefs, which occasioned a fatal schism among the friends of the common cause; and, while it displayed the literary powers of the two principal combatants, afforded ample exultation to the enemies of both; and, like wars of another kind, finally proved of but little service to either of the belligerents.

CHAPTER VI.

FROM 1770 TO 1771.

Dispute and Correspondence with Mr. Wilkes.

IT was almost impossible, from the nature of human affairs, that two such men as Mr. Wilkes and Mr. Horne could agree during any long period; for their characters, dispositions, and ultimate aims, were entirely dissimilar. The one, perpetually instigated by his necessities, endeavoured to convert the current of public generosity to his own private advantage; while the other, at once economical and disinterested, wished to distribute it into different channels, for the benefit and advantage of the community at large. In addition to this, they were both gifted with superior talents; and both equally avaricious of fame, although they approached her temple by different paths. Each, also, perhaps, considered himself best calculated for command, and most worthy of public esteem. The one could not bear a superior, the other

could not brook an equal: it was the rivalship of Pompey and Cæsar, on a smaller scale—not, indeed, for the empire of the world, but the rule of a numerous, popular, and formidable party. This led, as in the former instance, to a civil war, and ended in a contest, during which, happily, ink, rather than blood, was most profusely shed on both sides.

The minister of New Brentford was, indeed, desirous of rendering the alderman of London independent, not out of any personal regard to him, but merely with a view of proving to the world, that, in a free country, it is not in the power of a premier to ruin and overwhelm an individual, whose cause was of a public nature. He was anxious, at the same time, however, that the man menaced with ministerial vengeance should conduct himself with propriety. Accordingly, instead of flattering his follies, he had loudly protested against his luxurious mode of life, and expressed both his own and the public dissatisfaction at the laced liveries and French domestics of a person supported by the bounty of others. When a verdict of four thousand pounds had been obtained against lord Halifax, for his misconduct relative to general warrants, he represented the propriety of appropriating that sum towards the payment of his

own debts: this proposition, however, was rejected; and no motives of policy, honesty, or shame, could induce him to debar himself of a single luxury, or advance a single shilling to his creditors.

In addition to these original causes of estrangement, there existed others of a peculiar nature. Mr. Wilkes always hated, or rather despised, the Americans; and, even during his confinement in the King's Bench, laughed at and ridiculed their pretensions to an independent legislative right of internal taxation. But no sooner did he receive a flattering letter from the Bostonians, accompanied by a valuable present, than the representative for Middlesex changed his mind, and transmitted a flaming reply, in which he maintained, "that the colonies were the *propugnacula imperii*," and himself a "friend to universal liberty!" This glaring versatility, as usual, produced repeated, but ineffectual remonstrances on the part of his coadjutor, but without any profitable effect. On the contrary, these remonstrances were combated with the keen and ready weapons of wit, irony, and sarcasm, until a breach at length became inevitable; and the dispute relative to Bingley only contributed to hasten those hostilities, which could not have been much longer protracted.

This memorable contest took place in 1770, in consequence of an account that appeared in one of the newspapers * of a meeting of the electors of Westminster, relative to an impeachment of lord North. The writer appearing to reflect on Mr. Wilkes, who had taken the chair on this occasion, that gentleman replied with some asperity, under his own signature, in a letter, dated "Prince's Court, near Storey's Gate, Westminster, Nov. 15," beginning with the following quotation from Churchill :—

"Ah me! what mighty perils wait
The man who meddles with a state,
Whether to strengthen or oppose,
False are his friends, and firm his foes!"

He was, at the same time, seconded by two anonymous writers, under the signatures of "Scourge," and "Cat-o-nine Tails," who attacked Mr. Horne as the author.

This immediately produced the following reply, in the Public Advertiser :—

"TO MR. WILKES.

"*Monday, Jan.* 14, 1771.

"SIR,

"An agent of yours declared, some time "ago, that it would be useful to you and your

* The Public Advertiser of Oct. 31.

" affairs to come to an open rupture with me.—
" From this opinion has flowed all the abuse
" which has lately been bestowed upon me in
" the public papers. I believe you have mis-
" taken a strong inclination for policy, and have
" yielded to a natural bias, in opposition to ho-
" nesty and your interest. For near three
" weeks past, I have been pretty closely confined
" to my chamber by indisposition, and, except
" the 'Public Advertiser,' have only seen such
" papers as my friends have brought to me,
" whose kindness made them feel, more sensibly
" than myself, the injuries you have offered me.

" I have hitherto seen very little worthy of an
" answer, except the particular charges in the
" 'Gazetteer' of last Tuesday. I think it due
" to the public, to my friends, and myself, to
" give to each as particular an answer. Sir, as I
" have never, either in public or private life, co-
" pied your example—I shall not do it in this my
" justification. Instead of a defence, your me-
" thod has always been to recriminate. On the
" contrary, I shall, in this letter, confine myself
" to the charges brought against me. In a fu-
" ture letter, I will explain the nature and causes
" of the differences between us: they ought to
" be made public, because the objects are not
" private.

"The *Westminster business* I shall reserve for "my future letter, because it is one of the pre- "tended causes of difference. The other "charges, I think, are,—1. That 'I subscribed "to the "Society of the Bill of Rights," but never "paid one shilling.'—2. That 'I have received "amazing sums for Mr. serjeant Glynn's elec- "tions, ten guineas each from most of his "friends.'—3. That 'I have received subscrip- "tions for the widow Bigby's appeal.'—4. That "'I have received subscriptions for Mr. Gil- "lam's trial.'—5. That 'I have received sub- "scriptions for the affair of the weavers in Spi- "tal Fields.'

"These five charges I understand to be of a "public nature. After which, there is a charge "upon me of a private fraud, in a story about "Mr. Foote's pamphlet, and Messrs. Davis, the "booksellers.

"These particular charges I undertake to an- "swer, and if there is any other that I have "omitted to take notice of, you will please to "remind me of it. If there is any other that "you have omitted, you have my free leave to "bring it.

"First, I never did subscribe any thing to the "'Society of the Bill of Rights.' It is true, that, "in the accounts of that society, there will be "found five guineas of my money: but these

" five guineas were paid by me at the moment " of subscribing them, at the last subscription " made at the King's Arms Tavern, in Cornhill, " some time before the establishment of the so- " ciety at the London Tavern. Nor do I " recollect, at any time, to have subscribed any " money without instantly paying down the " small, but numerous sums, I have contributed. " These poor five guineas were received, and the " account of them brought into the society by " Mr. B———.

" The SECOND charge is, ' The amazing sums " received by me for Mr. Glynn's election; ten " guineas each from most of his friends.' The " subject of this charge, no doubt, puts me in a " delicate and difficult situation, because the " particulars of it ought to be discussed only by " Mr. Glynn and the subscribers; and I am " bound to be very careful, that, whilst I jus- " tify myself, I do not say any thing which " may give pain or displeasure to others. How- " ever, I think I can say enough on this head " to satisfy the most scrupulous, without hurt- " ing the most tender. I must premise, that I " have always carefully avoided three things; I " mean the being placed upon any public occa- " sion in any situation of honour, trust, or pro- " fit, from which my name, and my station, and " my inclination, equally dissuaded me. I have

"been regularly and indefatigably the drudge of "almost every popular election, prosecution, "and public business,—but never the object of "any one. For three years past my time has "been entirely, and my income almost wholly, "applied to public measures. But, though with "great caution, and sometimes obstinacy, I have "taken care never to be the chairman of any "company, nor the ostensible manager or con- "ductor of any matter; yet I have not been "able to avoid being, on three occasions, the re- "ceiver of money. One of them was the elec- "tion of Mr. Glynn. But there were no "amazing sums in the case. The ten guinea "subscription amounted to two hundred and "sixty-two pounds ten shillings, of which, for "want of a more diligent collector than myself, "only two hundred and twenty pounds ten shil- "lings have yet been received; and that sum "has been paid away long ago either by me or "by Mr. B——, the treasurer of that subscrip- "tion. Mr. Glynn, and the subscribers, must "examine and settle that business; and, if they "have no objection, I am sure I shall have none, "to lay each particular article before the public. "—And now, I have answered this charge as "far as you have brought it, I desire to "strengthen the charge, by informing you, sir,

" that there was another subscription for Mr. " Glynn's election. (Indeed the ten guineas were " not subscribed for the expenses of Mr. Glynn " in his election, nor was any subscription for " that purpose intended; the ten guineas were " subscribed to pay the expenses of some dinners " which about twenty of us agreed to give to the " freeholders, in different parts of the county, in " the summer, whilst Mr. Glynn was on the " circuit.)—The second subscription was made " only after the riot on the first day of election, " in order to pay the additional expenses in- " curred by that most villainous action, it seem- " ing very cruel and unjust that so barbarous " and wicked a contrivance should increase the " expense to Mr. serjeant Glynn of a contest " already sufficiently expensive, and which had " been carried on about seven months against all " the powers and influence of government.

" This second subscription amounted to 1401*l.*, " 981*l.* of which have been paid; 420*l.* still re- " main unpaid. Of this money, 400*l.* were paid " into the hands of Mr. Vaughan, the treasurer " on this occasion; 340*l.* 10*s.* were paid into " the hands of Messrs. Lowry and Co., bankers, " in Lombard Street: 240*l.* 10*s.* were collected " by me, from time to time, as the subscribers " fell in my way, and were paid again by me as

" occasion and opportunity offered: I likewise " drew on Messrs. Lowry and Co. for the money " in their hands, with which I paid the de- " mands on Mr. Glynn, as far as the money " would reach them. On this point I can only " say, as before, that, if Mr. Glynn and the sub- " scribers have no objection, I shall have none, " to lay each particular article of receipt and " payment before the public.

" The THIRD charge is, 'That I have received " subscriptions for the widow Bigby's appeal.' " The widow Bigby's appeal was not brought " by my direction; I do not mean that I disap- " prove it; I commend the measure; and, if I " had been applied to, should have advised it. " I think the pardon granted to the murderers " of Bigby was a horrid one, I think the same " of the pardon granted to M'Quirk, and I do " not believe either of them lawful. Mr. *Stam- " ford*, the attorney who was employed by the " widow, applied to a gentleman of character " and fortune in the city for assistance; that " gentleman brought Mr. Stamford to me, who " told me what he had done, and what he in- " tended to do; but he declared himself unable " to bear the expense and go on with the appeal, " unless he was assisted immediately with money. " I undertook the matter, made myself answer-

" able to him, and assisted him with money;
" and when I saw my friends, I applied to them
" for their help, because I was unequal to the bur-
" den alone. I did not indeed foresee that any
" member of the house of commons would
" move for leave to bring in a bill to take away
" the right of appeal from the people in cases
" of murder; but I did foresee that lord Mans-
" field would make such a motion and such a
" bill unnecessary; and that he would, by studied
" delays and difficulties, most effectually take
" away the remedy of appeal, by showing us
" that the most eminent counsel at the bar are
" not able to proceed in such a course as to
" bring it to a trial: and I supposed that he
" would, as he has done, so protract the mat-
" ter, by shifting his difficulties and his doubts,
" that either the proceedings on the appeal
" should be dropped, from the enormity of the
" expense, or the obstinate virtue of the poor
" appellant have time to be cooled and cor-
" rupted. I expected only to show, what has
" been shown, that lord Mansfield, who is so
" dexterous at removing difficulties and short-
" ening the way to a conviction for libel, ac-
" cording to the *modern* method of prosecution,
" is as dexterous in finding out or creating ob-
" stacles to a trial in the *ancient* mode of appeal

" for murder, which was formerly the subject's " *only* remedy*. And for this purpose I was " willing, and did declare my willingness, to " bear, if it was necessary, the whole expense " of the prosecution. The few friends to whom " I spoke on this occasion were of the same sen- " timents; and they contributed towards the " appeal. I afterwards found that good man, " Sir ———, was as warm in this business as " myself; at his desire I waited on him, and as " he was anxious to be a sharer in the burden, I " some time after sent a gentleman to him with " a list of the subscribers, and an account of the " money paid to the attorney, and solicited him " earnestly to be the treasurer on this occasion. " Sir ———, for many reasons, excused him- " self. Very lately this office has been kindly " accepted by Mr. Tooke. He has the list and " the account, and the trouble of collecting the " subscriptions. I do not desire any part of it " to be kept secret. I have received 110*l.* 16*s.*,

* " Something more too has been shown; *i. e.* that the " suggestions on which the pardon for the Kennedies was " procured are false; and that those who procured it still " know them to be guilty, or they would not so obstinately " and corruptly have opposed a fresh trial on the appeal, " which was the only method to justify the pardon in an au- " thentic manner, by producing the new circumstances " which manifested their innocence.

" and I have paid to the attorney 150*l.*; and I " have never been less in advance than I am at " present, which is 39*l.* 4*s.*

" The FOURTH charge is, 'That I have re- " ceived subscriptions for Mr. Gillam's trial.' A " copy of his indictment was *illegally* granted " to Mr. Gillam, in order to intimidate and dis- " grace another gentleman and myself. When " the request was made, the judges were at first " divided: Mr. justice Aston and Mr. Recorder " saw no objection to it, and they at last over- " persuaded the lord chief baron Parker: Mr. " justice Gould refused it to the last. Notwith- " standing this copy of the indictment, I have " never hesitated to declare, that I did promote " and assist that prosecution to the utmost of " my power; but I did not at any time receive " a farthing from any person on the account of " Mr Gillam's trial, or any thing relative to it, " and I do assert that there was no subscription " for it. If you, sir, can discover a single per- " son who paid any subscription to me, or to " any other, on that account, it is your business " to name him; otherwise we shall know how " to name you.

" The FIFTH charge is, 'That I have received " subscriptions for the affair of the weavers in " Spital Fields.' I never did receive any subscrip-

" tion for the affair of the weavers in Spital Fields;
" there never was any subscription on that ac-
" count, or on any other, relative to the weavers
" in Spital Fields. I took no small pains, with
" other gentlemen, to save the lives of some
" innocent men; but though one was petitioned
" for by the lord mayor and all the aldermen
" who sat on the bench at his trial, with the
" strongest circumstances in his favour, and
" though another was unanimously and strongly
" recommended to mercy by the jury, they
" were both hanged.—Their crime was not
" murder.—I believe we had better success in
" our endeavours to stop the further merciless
" persecution of that unhappy body of men; but
" what we did was done without collecting
" money or subscription; and I do not believe
" that any money was paid, except twenty pounds,
" which I gave, out of my own pocket, towards
" procuring counsel for one *Baker*, a journey-
" man weaver, whom lord Mansfield had re-
" fused to admit to bail till term-time, and till
" after hearing counsel; although the same lord
" Mansfield confessed that he was committed
" on a charge for an offence bailable at the very
" first view, and which did not admit even the
" shadow of a doubt. If any person did sub-
" scribe on this account to me or to any other,
" it is your business to name him.

" Thus, sir, I have answered your five charges " concerning subscriptions. Three of them (one " said to be left unpaid by me, and two said to " have been received by me) are totally false; " there never were any such subscriptions. The " other two, I hope, I have likewise answered " to your *dissatisfaction.* Though the proof of " such charges ought to rest upon him who " brings them, yet I think I may venture safely " to take even the opposite proof on myself; for I " trust, however disagreeable it is to gentlemen " to put their names in the papers, I trust Mr. " Richard Oliver, who is treasurer to the 'So- " ciety of the Bill of Rights,' and Mr. serjeant " Glynn, and Mr. Tooke, will do me that justice " which is due to me, and add the authority of " their names to the truth of what I have re- " lated.

" But, sir, there is one subscription more that " I have received, and with which you have not " charged me; I mean a subscription of 94*l.* 17*s.* " 9*d.* raised for you in my neighbourhood, which " I have brought into the society very lately, " at the last meeting but one at the London " Tavern.

" This subscription I did not collect; it was " only conveyed by me to the society. It was " collected publicly in an open book, by " Mr. B. H———, Mr. B———, Mr.

" D———, Mr. H———, of my parish, and " this book was brought back to me only the " day before I delivered it in: however, before " this subscription, I advanced, in the payment " of demands upon you, 38*l.* 0*s.* 8*d.*, which I am " still to receive, and, of the subscription itself, " seven guineas still remain unpaid to me.

" Your LAST charge is, that I have received " money for different publications, and you call " upon me to lay before the public ‹an account " of the profits on my vamped up sermon, Mr. " Foote's apology, Mr. Missing's letter, &c. as- " serting, at the same time, that I defrauded Mr. " Foote of forty or fifty pounds, which I took " from Messrs. Davis the booksellers; and you " bid me give you the evidence of Mr. Davis, " *both the father and the son*, and Mr. Foote's " justification of my disinterested friendship to " him.'

" Have you forgotten in how unmanly a man- " ner you lately received the very manly beha- " viour of Mr. alderman Trecothick, when you " were charged with the illiberal anonymous " abuse cast on that gentleman in '*the annals* " *of his mayoralty?**"—ANNALS of three or four

* *Annals of the Mayoralty of the Right Hon. Barlow Trecothick, Esq.*

(BY J. WILKES, ESQ.)

June 29, 1770, he was nominated by the livery, and

" MONTHS!—If you thought yourself justified in " refusing to acknowledge to the injured person " an anonymous writing, how can you expect

elected by the court of aldermen, lord-mayor of this city. While Guildhall still echoed with his name, his first act and speech was to arraign the conduct of that livery in the most modest manner to their faces, for setting aside *sir Henry Bankes*. He declared sir Henry *a good sort of man*, although the livery, by setting him aside, had, in effect, declared him *a bad sort of man* to be their chief magistrate. On the true *levelling* principle of his countrymen, the *Bostonians*, he likewise declared the late Mr. Beckford, that *first of men*, to whom the grateful citizens have decreed a statue for a long life of faithful services, only *a good sort of man*. He spoke little of himself, finding, I suppose, the subject remarkably barren; but, in the conclusion, he seemed to allude to the error committed by the livery in their choice of him *for so short a time*—an error which will not be repeated, I believe, even *for so short a time*.

June 30, he attended the lord-commissioner Smythe. The recorder, in gratitude for his former *personal* favours to Mrs. ——, *a good sort of a woman*, gave him a *clear* head, great vigour *of mind*, a love of — his country, an attachment to the welfare of — his fellow-citizens, and a veneration for the laws. The lord-commissioner seemed to hold all these fine things, said by Mr. Recorder, very cheap, or to think them very ill applied; for he desired his new lordship *not to break the laws himself, and to see them well observed in the city;* a proper and obliging compliment, but entirely useless; for, October 24th, his lordship signed the ILLEGAL *press-warrants* himself, and ordered all the constables in the city to violate the laws after his example.

Sept. 18, all the calls of an expensive nature being over for the year, his lordship, from the greatness of his soul, invited to the Mansion House the *whole* common-council, and provided an entertainment for *half* of them. Those who

" that I should give you an answer about pam-
" phlets that bear other men's names? It is true,
" I have always avowed whatever I have written
" anonymously, whenever any person has com-
" plained that he was injured; as in the cases
" of sir John Gibbons, sir W. B. Proctor, Mr.
" Onslow, &c.; it is my general rule when I am
" treated fairly; but the rule does not extend to
" you; for, in those pamphlets, even if I had
" written them, there is no reflection upon you:
" when you attribute to me the pamphlets that
" bear the names of other men, and call for an
" answer, you are impertinent to me and inju-

came first dined with his lordship, the rest with *duke Humphry* — not *Coates* — they wished that they had. Of the fragments were taken up and sent to the various prisons of this city, baskets 000000000.

Oct. 5, issued from the *Mansion House* a manifesto of this city king to the public. It declared that he was a party man, that he owned himself linked with a faction, and acted *in public with a particular set of men;* but did not mention a syllable of soliciting the instructions, asking the opinion, or promising to obey the commands of his constituents, the citizens of the metropolis, who will, undoubtedly, at the next general election, add this tool once more to the Rockingham faction.

On Oct. 24, he admitted into the city whole bands of ruffians, under the name of *press-gangs*, caressed their chiefs, gave the sanction of his name and authority for all the constables, and let them loose against the laws, the peace, the liberties, and franchises of London.

God be praised, this day is Nov. 8.

" rious to them. Perhaps some other person " may think it as probable that you should have " written the sermon, as that I should have " written on subjects of law and surgery. I " know, indeed, how you will solve that diffi- " culty, by declaring that there is as little divi- " nity in the one, as law and surgery in the " others. Sir, I shall only answer you what you " must already suppose, *viz.* that, of all the " pamphlets I ever wrote in my life, I have " regularly received the profits; and of all the " pamphlets which I may hereafter write, I " shall, if I please, regularly receive the profits. " But, that you may not envy me the *amazing* sums " I have likewise received on that score, I will " tell you exactly to what they amount; and, " that I might be exact, I have settled accounts " which were never before settled. Of all the " things I ever wrote in my life the profits " amount to a sum not sufficient to furnish you " with two month's claret.

" For the fraud with which you charge me on " Mr. Foote, through Messrs. Davis, the book- " sellers, it is a falshood, and you ought to be " told so in coarser language. You bid me give " you the evidence of Mr. Davis, *both the father* " *and the son*, and of Mr. Foote. You, who " bring the charge, should take the *onus pro-*

" has suited your selfish politics to insinuate and " pretend some private pique between us, yet " you have not ventured, even anonymously, to " suggest any particular cause of my dissatis- " faction.

" That I may be well understood, it is neces- " sary to give a short history of the commence- " ment, progress, and conclusion of the inter- " course between us; and this I will begin to do " in my next; not for my own justification, for " I could be well contented to leave each man " to his opinion concerning me; but that the " people at large, to whose safety and happiness " it is important, may be better able to form " their judgment how far they ought, and how " far they ought not, to support you; and that " they may perceive your general professions and " protestations to be like those of last Wednes- " day's speech, equally calculated to mislead " and impose, and to which every particular act, " as well of *your* opposition as of *his* government, " is a flat contradiction.

" John Horne."

TO THE REV. MR. HORNE.

" *Prince's Court, May* 15.

" SIR,

" I HAVE waited with impatience, ever since " November, for the justification of your ac- " count of the *Westminster* business, in the " very preface of which you advanced the false- " hood, that you were READY *to vouch the au-* " *thenticity of it.* I called upon you in print " the day after its publication. In your letter " of Jan. 16, you declared, 'the Westminster " business I shall reserve for my future letter.' " Another letter now appears, which neither " mentions nor promises any thing on that " subject. Now, you trifle with the public; " before, you dared to impose.

" You say, 'it is not my intention here to " open any account with you on the score of " private character: in that respect, the public " have kindly passed an act of insolvency in " your favour.' I believe, indeed, you will not " choose *to open any account on the score of* " *private character.* A gentleman in holy " orders, whose hand appears to testify his " belief of the articles of the church of England, " the least moral, the least conscientious of men,

that period, yet, after the lapse of more than forty years, they will of course have lost much of their zest as well as importance. Upon the whole, however, they must be allowed to contain, not only many interesting passages, but also to exhibit a variety of curious information relative to the history of that period.

"TO MR. JOHN WILKES.

(LETTER I.)

"SIR,

"YOU have said, 'The public have a right "to truth, and every imposition on mankind "ought to be detected and exposed.' I am not "entirely of that opinion: I think there are "certain seasons when some particular truths "ought to be withheld; and my lips should have "been for ever closed on the subject of your real "character and conduct, if you could by any "motives have been persuaded, or by any art or "contrivance have been compelled, to continue "a voluntary or involuntary instrument of good "to your country. I have long been, with "others, struggling to make it your interest to "be honest, and founded all my hopes, not on "your principle, but common sense. At length

"I despair of any good from you, and apprehend "much mischief: I think it therefore my duty "to be no longer silent; and I come to an ex- "planation without any apprehension of dis- "grace; because I know, that, though *Wilkes and* "*Liberty* may for a while bear down every thing "before them in the street, yet, as far as they "are not connected by public principles, they will "surely be separated in the closet. But, what- "ever may be the opinions of any persons con- "cerning my conduct, I shall not alter it: their "uninformed opinions affect me little: I know "my own situation; I must ever remain a poor "and a private man, and can never be a can- "didate for the favour or confidence of the "public. The voice of the people is not the "voice of God to me, though (in the fair mean- "ing of the word *people*) I have never thought "it wrong; but it is the voice within me that "shall ever be the guide of my actions.

"It is not my intention here to open any ac- "count with you on the score of private cha- "racter; in that respect, the public have kindly "passed an act of insolvency in your favour: "you have delivered up your all, and no man "can fairly now make any demand. I blame "your public conduct, and never had a difference "with you on any other subject; and though it

"*bandi!* I can only give my own evidence. "They must, if they please, give theirs for "themselves. But why this *judaism*, sir? Why "will not Mr. Davis the father satisfy you? "Why visit the sins of the fathers upon the "children?

"Sir, I will be bold to say, the further and "the more particularly you sift into every part "of my conduct, the more honourable it will "appear; for very many circumstances will "come out necessarily in my defence, which "could not otherwise have been mentioned "without boasting; and I defy all your art and "all your abilities to make me, whilst I am "honest, either detestable or ridiculous. How-"ever, you must now do something, for your "credit's sake: at least be witty, at least enter-"tain the public: scraps of verses will not al-"together answer the purpose.—*Ah me!* is no "argument; quotations are not proofs. But if "you will quote an *incomparable poet*, you should "take some of his *incomparable poetry*. With "such a choice of beauties before you, to select "the passages with which you have lately "patched your prose, convinces me that no "friend can escape you; and that, living or "dead, it is your study and endeavour to show, "if you can, their weak sides to the public.

"JOHN HORNE."

The above contains an answer to all the charges made against Mr. Horne, amidst the asperity of party hostility; and, as it was followed, soon after, by letters from Mr. serjeant Glynn, Mr. W. Tooke, Messrs. Davis, and Mr. alderman Oliver, testifying the disinterestedness of his conduct, must be allowed to constitute an able, as well as ample refutation of these calumnies. Notwithstanding this, and although all the independent and opulent men, belonging to the "Society of the Bill of Rights," had taken the side of Mr. Horne in this dispute; yet the current of popular opinion now set in strongly against him, and he soon after became one of the most obnoxious men in the kingdom. At the very time he was sacrificing all his prospects in life to advance the cause he had adopted, his name was execrated as a deserter from the side of liberty; and, more than once, he was actually burnt in effigy in the metropolis.

Notwithstanding this, after a short pause, he renewed the controversy, and proceeded, in the month of May, 1771, to expose the character and conduct of Mr. Wilkes, as may be seen from their correspondence, which would nearly fill a volume. Some of this series of letters are therefore necessarily abridged; without omitting, however, a single passage of any importance; for, although they were eagerly read by the nation at

"that called itself a gentleman, at a time when "very honest men, who could distinguish be- "tween you and your cause, and who feared no "danger, yet feared the ridicule attending a pro- "bable defeat. Happily, we succeeded, and I "leave you, by repeated elections, the legal re- "presentative of Middlesex, an alderman of "London, and about thirty thousand pounds "richer than when first I knew you; myself by "many degrees poorer than I was before; and I "pretend to have been a little instrumental in all "these changes of your situation.

"I make no other reflection on your behavi- "our respecting my letter, than barely to say, "that those who shall attempt to palliate or jus- "tify it, will want a justification themselves. "Publish it, however, when you will. I am con- "fident, as indeed I have likewise been assured "by many to whom you have shown it, that "there is nothing in the letter of which I need "to be ashamed, unless there are any compli- "ments to you; of every thing of that kind your "subsequent conduct has indeed made me most "heartily ashamed.

"JOHN HORNE."

" TO MR. JOHN WILKES.

(LETTER III.)

" SIR,

" MY first employment on my return to Eng-
" land was to reconcile you with Mr. Cotes,
" whom I thought you treated, in his misfor-
" tunes, with a barbarous ingratitude: and at Pa-
" ris I explained to you my sentiments on the
" subject, as freely as a stranger could who
" wished not to offend you.

" From this time, till your arrival in England,
" I threw out hints in the papers of your inten-
" tion to offer yourself a candidate at the ensu-
" ing general election; and I endeavoured, with
" as much art as I was master of, to let them be
" just strong enough to make those who wished
" you well suppose the event possible, without
" being so strong as to make those who feared
" such an event suppose it probable.

" From the time I left you at Paris, in 1767,
" I held no communication with you of any kind
" whatever; nor did I, upon your arrival in Eng-
" land, in 1768, even pay you a visit, till it was
" very evident you had lost your election in the
" city. Then indeed I went to you, because I
" knew I could be useful to you in Middlesex;

" ing through Paris, I delivered some letters to
" you; amongst others, one of those letters from
" Mr. Onslow, which you have since published.
" Though this was the first time we ever saw
" each other, you exacted from me, with very
" earnest entreaty, a promise of correspondence.
" I thought you at that time sincerely public-
" spirited, and a man of honour; I mean that
" sort of honour, which, though it does not re-
" strain from bad, prevents men from being
" guilty of mean actions. I wrote to you from
" Montpelier; and, lest from my appearance you
" should mistake my situation, and expect con-
" siderable services from me, I thought it proper
" to inform you, that I was only a poor coun-
" try clergyman, whose situation, notwithstand-
" ing his zeal, would never enable him to per-
" form any considerable service either to you or
" the public. Having told you my profession, I
" disclaimed, in a joking manner, those vices,
" which, from the dependent situation of its pro-
" fessors, are too frequently attendant on it — I
" mean hypocrisy, servility, and an abject atten-
" tion to private interest. Receiving no answer,
" I did not repeat my folly: and, upon a second
" visit to you at Paris, in my return from Italy
" to England, in the year 1767, I saw reasons
" sufficient never more to trust you with a single

" line; for I found that all the private letters of " your friends were regularly pasted in a book, " and read over indiscriminately, not only to " your friends and acquaintance, but to every " visitor.

" In this second visit at Paris you reproached " me for not keeping my promise of corre- " spondence, and swore you had not received my " letter. I was very well contented, though I " did not believe your excuse, and hugged my- " self in the reflection, that I had furnished you " with only one opportunity of treachery. This " letter you copied some months, and showed it " about to numbers of people, with a menace of " publication, if I dared to interrupt you. And " yet you cannot pretend to justify yourself by " saying, that it contains any promises which " have not been abundantly fulfilled. So far " from promising assistance, if I have any me- " mory, it declares an inability to assist. You " will not say that I courted you in your pros- " perity, and forsook you in adversity; you will " not say that I have been ungrateful, or that I " ever received any favours at your hands. I " found you in the most hopeless state: an out- " law; plunged in the deepest distress; over- " whelmed with debt and disgrace; forsaken by " all your friends, and shunned by every thing

" whose life has passed in a constant, direct op-
" position to the purity and precepts of the
" gospel; whose creed, from the first article in
" it to the last, is known to be *non credo*; such a
" person, with wonderful prudence, chooses *not*
" *to open any account on the score of private*
" *character.* I do not mean, sir, to be imper-
" tinent enough to a public, whom I respect, to
" descend to those particulars of private life, in
" which they are not interested, either to accuse
" you, or to defend myself. The frailties, of
" which I have repented, I will not justify. I
" will not even plead, with Horace,

" ' Nec lusisse pudet, sed non incidere ludum ; '

" but I hope to redeem and bury in oblivion
" every past folly, by great and virtuous actions,
" by real services to my country.

" Your letter of yesterday contains no charge,
" although it promises many. Every one shall
" be fully answered. I have only to desire,
" that your future letter, or letters, may appear
" before Midsummer day, because it is possible
" that, by the favour of the livery of London, I
" may, after that time, be wholly engaged in pre-
" paring for the duties of a very important office,
" and the faithful discharge of the *sheriff's oath*,
" not that, which you *falsified.*

" I am, sir, your humble servant,

" JOHN WILKES."

"TO MR. JOHN WILKES.

(LETTER II.)

"SIR,

"THE motives of my conduct, and the nature of our intercourse, (for it cannot be called "a connexion,) will best appear from the situation of each of us at its commencement. "Your motives will appear as plainly in its progress and conclusion.

"When your troubles began, I was in France. "I returned to England towards the end of the "year 1764.

"I was quickly informed of all the political "transactions in England during my absence. "My expectations and opposite connexions "were not so strong in me as those principles, "which all who know me know I always pro-"fessed, long before there was a probability that "the times would ever call them out into prac-"tice. In this situation, I did not hesitate one "moment about my conduct, but instantly de-"clared my sentiments very freely; and, during "my short stay in England, contributed my mite "to the public cause by publishing whatever "essays, hints, or intelligence, I thought might "be useful.

"In the year 1765 I repaired to Italy. Pass-

" and I did then, and do still think, that there " was no method by which I could do greater " service to the public, than by espousing your " cause; which the weakness and wickedness of " our court had made, to a certain degree, the " cause of every Englishman.

" Besides some credible information which I " had received since I first saw you concerning " your character, and the danger which my se- " cond visit had shown me there was in your " correspondence, a particular transaction had " made me forbear any communication with " you, though my sentiments of your cause re- " mained unaltered. — In October, 1766, you " came over to England privately: my brother- " in-law, Mr. Wildman, accidentally met you in " the street, near his own house, in Argyle Build- " ings, in company with your brother, Mr. " Heaton Wilkes: Mr. Wildman expressing his " surprise to see you, you told him you were di- " stressed to find some place where you might " safely lay hid from fear of the outlawry: he " offered you his own house; where you stayed " till you went back again to France. You re- " presented to him your situation in France, " which made it proper for you to endeavour, " by little presents, &c., to please your friends " there, to whom you had obligations; and re-

" quested him to procure for you certain ar-
" ticles *, to the value of forty pounds, and to
" send them directed for your friend Mons.
" *Sainte Foy*, at Paris; to whose hands you said
" they would come without difficulty, examina-
" tion, or interruption, he being secretary to the
" French minister, and *great treasurer of the*
" *marine;* and you promised, that Mr. Wild-
" man's bills for the money he should lay out
" on these articles should be paid at sight. Mr.
" Wildman executed your commission with the
" zeal of a friend, and chose to delay receiving
" his money till some months after, when he was
" himself to pass through Paris. In September,

* " The following is a list of the articles which you commissioned Mr. Wildman to buy:

" Twenty-five bottles of the very best old Jamaica rum.

" Twenty-five arrack.

" Three gowns, chintz, one light-blue, one pink, and the other fine yellow ground.

" Pamphlets.

" Oroonoko, as it is acted now.

" Romeo and Juliet.

" Churchill's works.

" Forty yards of fine flannel.

" ——— } *Two profligate articles, which Mr. Wildman*
" ——— } *would not furnish.*

" *La Philosophie de l'Histoire.*

" *Le Philosophe Ignorant.*

" *Le Dernier Ouvrage de Boulanger.*

" Every thing new from Voltaire."

" 1767, he waited on you at Paris: he hoped he " had executed your commission to your satis- " faction: you denied that the articles had ever " been received. He asked what he must do; " and whether, if any accident had happened, it " must be his loss? You replied, that he must " call upon Mons. Sainte Foy.

" Mr. Wildman then desired you to let him " have my clothes, which I had left with you at " Paris; because I should not leave England so " soon as I had before intended, and when I did " go abroad, should not take the route of Paris: " you endeavoured to dissuade him from charg- " ing himself with the clothes, because of the " great rigor of our custom-house; and when " you could not deter him, you promised he " should have them soon. Mr. Wildman went " to Mons. Sainte Foy, was admitted, and told " him the cause of his visit; Mons. Sainte Foy " pretended that he could not understand either " his French or his English: Mr. Wildman went " down stairs to call his valet-de-place, who un- " derstood both languages well: when he would " have gone into the room again to Mons. " Sainte Foy, his valet-de-chambre said—' Sir, " my master is not at home.' In vain Mr. " Wildman insisted, he had quitted his master " but that minute to call in his interpreter; the

" servant persisted that — 'his master was not " at home,' and Mr. Wildman could only procure " a repetition of the same answer. Mr. Wild- " man returned to Mr. Wilkes's house; Mr. " Wilkes was 'not at home.' He repeated his vi- " sits—'Mr. Wilkes was not at home.' At length " he was informed that Mr. Wilkes was gone to " his house in the country: Mr. Wildman went " thither after you; and you promised to come " to Paris the next day and settle all matters, " Mr. Wildman returned to Paris with a Mons. " Goy, a name well known in England and in " France, and a constant companion of Mr. " Wilkes. Mons. Goy told Mr. Wildman, 'he " might as well save himself the trouble of his " visits, he would get neither money nor clothes; " for that Mr. Wilkes was exceedingly distressed, " and had been forced lately to pawn the " clothes.' The next day a note was left at Mr. " Wildman's hotel with Mr. Wilkes's name. " Mr. Wildman, immediately on the receipt of " it, at noon, went to Mr. Wilkes's lodgings. The " servants said, Mr. Wilkes was in the country.

" Mr. Wildman then went to Messrs. Foley " and Panchaud, the bankers, and not finding " any money left there for him, as you had by " letter promised him there should be, he per- " ceived that Mr. Goy had told him truth, and

" that he was tricked and laughed at, and there-
" fore instantly quitted Paris.—Such was the
" return which you, his 'affectionate friend,'
" made to my brother, your hospitable friend,
" for 'obligations which made it impossible for
" you to express the feelings of your gratitude,'
" and for 'favours received under his roof, of
" which you promised an eternal remembrance.'

" Mr. Wildman has since made the proper in-
" quiries, and finds that the goods he was commis-
" sioned by you to procure were duly delivered.
" For my own part I never made the least inquiry
" after my clothes, but have received a letter
" within the last three months from Mr. Pan-
" chaud, informing me that they have long been
" in his possession.

" Though the extreme meanness of thus filch-
" ing what you might have received freely as a
" gift, inspired me with infinite contempt for the
" very name of Mr. Wilkes, yet compassion for
" the wretchedness of your situation took away
" from me all kind of resentment; and though I
" was determined never to be connected with the
" man, I was ready to lay down my life in the
" cause.

" I have mentioned these circumstances not
" as any charges against you, though no doubt
" they will operate as such; but merely to prove

" by facts what was from the beginning the na-
" ture of my intercourse with you, and what
" must have been my motives at the time of its
" commencement.

" JOHN HORNE."

" TO THE REV. MR. HORNE.

" *Prince's Court, Saturday, May* 18.

" SIR,

" YOUR *first* letter, of May 14, told me that
" you ' blamed my public conduct, and would
" not open any account with me on the score of
" private character.' A *third* letter is this day
" addressed to me. Not a word hitherto ' of
" my public conduct,' but many false and ma-
" lignant attacks about Mr. Wildman, your bro-
" ther-in-law, and your *old clothes.* The public
" will impute the impertinence of such a dispute
" to its author, and pardon my calling their at-
" tention for a few moments to scenes of so tri-
" fling a nature, because it is in justification of
" an innocent man.

" When you left Paris in May, 1767, you de-
" sired me to take care of your *old clothes*, for
" you meant to return in a few months, and they
" could be of no use to you in England. The

" morning of your departure you sent me a letter " concerning them, which I returned to you at " the King's Bench; and at the bottom of it the " following memorandum in my own hann- " writing: 'Nov. 21, 1767, sent to Mr. Pan- " chaud's in the Rue St. Sauveur.' I left Paris " Nov. 22, 1767, and therefore thought it proper, " the day before, to send your clothes *where* I " was sure they would be perfectly safe, to Mr. " Panchaud's, the great English banker's. They " remained in my house, Rue de Saints Peres, " only from May till the November following, " nor was any demand or request made to me " about them by Mr. Wildman, or any one else. " The story of Mons. Goy is, I am persuaded, an " absolute falshood. You are forced to own, 'I " have received a letter within the last three " months from Mr. Panchaud, informing me " that they *(the clothes)* have *long* been in his " possession.' Examine the banker's books: " you will find the date is Nov. 21, 1767. You " say, 'for my own part I never made the least " inquiry after my clothes.' I suppose for the " plainest reason in the world: you knew where " they were, and that they could be no part of " a clergyman's dress in England, but that you " were sure of so *rich a wardrobe* on your next " tour to France or Italy, as Paris would pro-

" bably be your route. This is all I know of the " *vestimenta pretiosa* of *Eutrapelus*. I hope, sir, " the putting them on will not have the same " effect on you as formerly on him—

> " Cum *pulcris tunicis* sumet nova consilia et spes :
> Dormiet in lucem ; *scorto* postponet honestum
> Officium ; *nummos alienos pascet*.

" Your charge about your brother-in-law, Mr. " Wildman, is equally unjust. When I was in " England, in October, 1766, I lodged at Mr. " Wildman's house, in Argyle Buildings, on his " own most pressing invitation. I had long " known him, and for several years belonged " to a club, which met once a week at the Bed- " ford Head. Mr. Wildman desired to be con- " sidered, at this time, as the warm partisan of " Mr. Wilkes. He begged that he might be " useful as far as he could to me and my friends. " I asked him to buy a little Welch horse for " a lady in France, to whom I was desirous of " paying a compliment. I fixed the price, and " insisted on paying him at that very time, " which I did. About a year afterwards Mr. " Wildman fulfilled my commission, purchased " me a Welch poney, and sent it to Calais. This " was the single transaction of my own with " your brother-in-law at that time. I gave him

" two or three trifling commissions from Mons. " Sainte Foy for arrack, &c., which were to be " forwarded to Paris. I believe they were sent, " but they never passed through my hands; nor " do I know whether Mr. Wildman has yet " been paid for those trifles, the whole of which " amounted only, as he told me, to about thirty " pounds.

" Your endeavours to create a coolness be- " tween Mr. Cotes and me are clearly seen " through, and will prove ineffectual. You " made the same attempt on the late Mr. Sterne " and me with the same success.

" In your second letter you say, ' The nature " of our *intercourse*, for it cannot be called a *con-* " *nexion*;' and afterwards, ' in my return from " Italy to England, in the year 1767, I saw rea- " sons sufficient *never more to trust you with a* " *single line*;' and in your third letter you pre- " tend that you had, even in 1767, ' infinite " contempt for the very name of Mr. Wilkes.' " However, on the 17th of last May, you wrote " me another letter on my going to Fulham, while " my house here was repairing, to recommend " *six* tradesmen to me, to tell me how *most sin-* " *cerely* you were mine, &c. You add, ' I could " not forbear showing my *friendship* to you by " letting you know your friends.' You will

" find, sir, that it requires more memory, as well " as wit, than falls to one man's share, to support " a long chain of falshoods. You are lost and " bewildered in the intricacies of error. The " path of truth you would find more easy and " honourable.

" You assert, ' I found that all the private let- " ters of your friends were regularly pasted in a " a book, and read over indiscriminately, not " only to your friends and acquaintance, but to " every visitor.' I glory, sir, in having four " large volumes of manuscript letters, many of " them written by the first men of this age. I " esteem them my most valuable possession. " Why is the pleasure of an elegant and instruc- " tive epistle to perish with the hour it is re- " ceived? To the care and attention of Cicero's " friends in preserving that great Roman's let- " ters we owe the best history of Rome for a " most interesting period of about forty years. " You mistake when you talk of *all the private* " *letters of your friends.* My care has extended " only to letters of particular friends on particu- " lar occasions, or to letters of business, taste, or " literature. The originals of such I have pre- " served; never any copies of my own letters, " unless when I wrote to a secretary of state, to " a Talbot, a Martin, or a Horne. When you

" add, 'that they are read over indiscriminately,
" not only to your friends and acquaintance,
" but to every visitor,' you knowingly advance a
" falshood. So much of your time has passed
" with me, that you are sensible very few of my
" friends have ever heard of the volumes I men-
" tioned. The preservation of a letter is surely
" compliment to the writer. But although I
" approve the preservation, in general, I highly
" disapprove the publication of any private letters.
" However, there are cases which justly call
" them forth to light. Mr. Onslow's first letter
" was, after great importunity from you, printed
" by me, to justify what you had said at Epsom.
" The second you printed, without my consent,
" from a copy I suffered you to take.

" I am, sir,

" Your humble servant,

" JOHN WILKES."

" TO MR. JOHN WILKES.

(LETTER IV.)

" SIR,

" DURING the city election many worthy
" merchants having generously come forward to
" your assistance, and some of them being men

"of the most rigid morality, you thought it "proper to adopt the language of a penitent: "to the one you talked of 'Saul transformed "into St. Paul;' to another you were more "poetical, and told him, that 'hitherto your "life must be considered as only bearing the "*blossoms*, and that the public might now ex- "pect from you the *fruits*:' and you talked of "the *follies* of your *youth*, as if you had not "been at that time between *forty and fifty*, and "as if *folly* was all that could be alledged "against you. I believe you did not impose "upon many; the greater part despised the "hypocrite, who before abhorred the rogue: "but, however some might be deceived, your "conduct did not suffer me, even for a few days, "to suppose you a changeling.

"On *Tuesday* morning, March 22, 1768, I "paid you the first visit in London. On *Wed-* "*nesday* I inserted two advertisements levelled "at the old members for Middlesex: for one of "which the imprudent hastiness of sir J. Gib- "bons made that gentleman afterwards publish "my name. On *Thursday*, you set out with me "to canvass the western part of the county. "Returning in the evening to Brentford, I found "there Mr. T——n, whose name I did not "then know: he had been appointed by your

"committee of the city to secure some houses "at Brentford for the day of the election: he could "get none, because he was totally unknown: he "applied to me, and appointed me to meet him, "on Saturday evening, at the King's Arms, "where the committee would settle every thing "with me relative to the houses.

"On *Friday*, I procured two inns for the "purpose; and engaged myself to them to pay "the expenses which should be incurred; and "this was necessary, because, if you had lost "your election, the people could easily foresee "you would again have fled the country, and "they would have lost their money.

"On *Saturday*, in the evening, I waited on "the committee: Mr. T——n was absent: I "told them my business, and desired only that "the risk of the uncertain expenses at Brentford, "on the day of election, might be understood "to be equal between us, because I was not sufficient to bear the whole, and such a loss might "undo me. They were perfect strangers to me; "the committee was distracted with variety of "business; all was confusion; and they treated me "very cavalierly, as they would have done a sharper "who was come to impose upon them by false pretences: the chairman, Mr. J. J——, a gentleman of character and a man of business, and

" not having (as he has since informed me) been " acquainted with the circumstances, and know- " ing that Mr. T——n had been appointed to look " after the houses, very properly, though abruptly, " bade me quit the room; saying, 'Since houses are " procured, that is sufficient for us, and we have " nothing to do with you or your engagements.' " I quitted the room; first telling them, that " they were mistaken in supposing they had the " houses safe, and therefore might leave me " bear the burthen; that I was not quite so " foolish as they seemed to imagine; if they " would not make it a joint risk, I was still able " to save myself; for that I very well knew sir " William Beauchamp Proctor and Mr. Cooke " would be very glad to take the houses " off my hands, and to acknowledge the obli- " gation.

" You had hitherto sat silent; but being " alarmed at my last words, which I threw out " to alarm them, and to make them join with " me in the risk, you followed me, and led me, " together with Mr. ———, into another room; " you caught me by the hands, and supplicated " me most earnestly not to be offended at such " 'creatures' as your committee; you swore I " should run no hazard; that you had more " than money enough at your banker's, and

" would that moment give me a draft for *fifteen*
" *hundred pounds.*

" I replied, 'Sir, I was not at all offended
" before, but I am now: I see you think me a
" dupe; because it is Saturday evening, and
" your election comes on Monday morning, you
" offer me a draft on your banker for *fifteen*
" *hundred pounds*, when I know you have not
" *fifteen pence* in the world. It is you that treat
" me ill, not they. I am not duped, sir; and
" I desire I may at least have the honour of
" doing what I do with my eyes open. Go back
" and look after them; give yourself no concern
" about me: I shall act in the same manner as
" if they had engaged with me. The die is
" cast: if I had not thought that all was at
" stake, on the success of your election, I should
" not have come forward at all; and, having
" once begun it, nothing shall stop me.'

" The success of the election is known: the
" gentlemen afterwards excused themselves to
" me for a behaviour for which their good in-
" tention entirely justified them; and the com-
" mittee paid the expenses.

" JOHN HORNE."

"TO THE REV. MR. HORNE.

"*Prince's Court, Wednesday, May 22.*

"SIR,

"I AM persuaded there are very few particulars in your *fourth* letter which the public "wish that I should answer. You say, that on "the Saturday before the first Middlesex election, "'you led me, together with Mr. ———, into "another room; you caught me by the hands, "and supplicated me most earnestly not to be "offended at such "creatures" as your committee; "you swore I should run no hazard; that you "had more than money enough at your banker's "and would that moment give me a draft for "*fifteen hundred pounds*.' I had been only a "few weeks in England, and most certainly "had at that time no banker. If I had made "such a speech to you, who knew the distress "of my private affairs, instead of supporting "me as candidate for the county of Middlesex, "you ought to have applied to my friends for a "commission of lunacy against me. That "single proof would have been sufficient. Will "you please, sir, to tell me the banker's name, "and the name of Mr. ———, of which you "do not even give the initials? I assert, that the "whole of this tale is an absolute falshood.

"When you mention the city election, you "assert, 'You talked of the follies of your youth, "as if you had not been at that time between "*forty and fifty*, and as if *folly* was all that "could be alledged against you.' Whatever "could be *alledged against me* would probably "come from others, rather than from myself. "I am sure this could only pass in a private "conversation. I was not guilty of that absur- "dity to the respectable body of the livery. "You cannot produce any expression, in my "various addresses to them, which has such a "tendency. As to my age at that time, you "have given the truth. I wish you had in every "other part of your letters. The city election "was in March 1768; I was *forty* the October "preceding. Mr. Horne has, therefore, in *four* "long letters, advanced one truth, that, at the "city election, in March, 1768, *Mr. John Wilkes* "was between *forty and fifty*. If any man "doubts the fact, because Mr. Horne has as- "serted it, he may have full *evidence*, although "its validity would be controverted by the mi- "nister of New Brentford, as *Bible evidence* "from a large family book, or the *Bible oath* of "a midwife, a nurse, and half-a-dozen gossips.

"I am, sir, your humble servant,

"JOHN WILKES."

"TO MR. JOHN WILKES.

(LETTER V.)

"SIR,

"THOUGH I do not intend that you shall "artfully draw me off from my course of a regu- "lar explanation, yet I think it proper to take "some notice of the two letters you have given "by way of reply.

"And, first, I must observe what you have "*not done* in your letters. You have not even "pretended any reason for my dissatisfaction with "your conduct. You have not denied that our "acquaintance began in the manner and at the "time I have mentioned. You acknowledge "that you received my letter from Montpelier; "and yet you have not denied that you disowned "to me the receipt of it. You have not denied "the showing about this letter with an intention "to intimidate and injure me; but as Cæsar's "and De Retz's examples are to justify your dis- "honest debts, so Cicero's letters, it seems, are "to justify your treachery. You have admitted, "that I had no communication with you from "May, 1767, till March, 1768, and that my "first visit to you in London was when you had "evidently lost your city election; and yet you

" have offered no reason why our acquaintance " should be in this manner broken off as soon as " it was begun, and why, after that interrup- " tion, it should be resumed again just at that " critical time. You have not imputed to me " any motives of action, either when I com- " menced or when I quitted my intercourse with " you, either when I have approved or when I " have disapproved your conduct.

" Instead of giving a consistent, probable ac- " count of any thing, let us now see what you " *have done.*

" In your first letter you have declared me to " be 'the least moral and the least conscientious " of men; that my life has passed in a constant " and direct opposition to the purity and pre- " cepts of the gospel; and that my creed, from " the first article to the last of it, is known to " be, *non credo*,' &c.—Such charges as these from " the mouth of Mr. Wilkes!—But I should be " ridiculous if I paid any regard to *general* " abuse: it is sufficient for me to answer, that, " were my character so bad as you say, it must " be *very* notorious indeed, and you would not be " forced to deal in *generals*, and, instead of my ac- " tions, to accuse the secret thoughts of my heart, " which no man can scrutinize; because, since I was " *eight* years old, my whole life has passed be-

"fore hundreds of witnesses, and you would "easily be able to collect all the *particulars* of "my misbehaviour from my infancy. Westmin- "ster—Eton—Cambridge—the Temple—my "living at Brentford, which I have had up- "wards of *ten* years—travelling with the sons "of two gentlemen who live within a mile of my "house, who applied to me, and to whom I had "no recommendation but that notorious charac- "ter you speak of—all these are not situations "in which a man's very bad conduct is likely "to be concealed. To general charges, such "general answers only can be given.

"From my letter you evidently borrowed the "thought and the quotation from Horace which "you have used in your letter of last Monday; "but, unfortunately, you do not understand the "passage, an accident that happens very fre- "quently to plagiaries: you say, 'this is all "I know of the *vestimenta pretiosa* of *Eutra- "pelus*. I hope, sir, the putting them on will "not have the same effect on you as, formerly, on "him.'—If they have no more effect on *me*, than "Horace supposes them to have had formerly on "*Eutrapelus*, they will not do me much mis- "chief:—

"'Eutrapelus, *cuicunque nocere volebat*
Vestimenta DABAT *pretiosa.*'

"The fact is, sir, (as any school-boy can tell "you,) that *Eutrapelus* did not wear the clothes "himself, as you suppose, but left them with a "profligate at Paris; and the bad effects enu- "merated by Horace, in the following lines, re- "late to the fellow who pawned them, and not "to Eutrapelus, who gave him the opportunity.

"You have made another *extract* from a *let- "ter, you call it,* which I sent to you at Ful- "ham. I desire you would give the *whole* of "that letter, and the *extract* will, then, I be- "lieve, have a very different appearance. It is "true, that *note* to you at Fulham had escaped "my memory, but I now well recollect the oc- "casion of it. Mr. B——, of Fulham, who "had been exceedingly useful in your election, "came to solicit me, last May, that I would "write to you in behalf of some tradesmen "there, who had voted for you, or otherwise "served you in your election. It was much "against my will to tell him my thoughts of his "request; and yet I could not be so unjust as to "conceal my opinion, and do them an injury un- "der the appearance of a favour. I asked him, "*smiling*, — for you know I cannot laugh — if "he really thought such a recommendation of "them would be doing them a favour? He re- "plied, they would think it so.

"I told him, I would not pretend to answer "for their being paid; and that I should be "sorry to make them such a return for their "good public spirit, as to recommend them to "a bad private debt. He said, they would use "their prudence; which I begged he would cau- "tion them to do, that I might not hereafter be "reproached. On this occasion, I recollect, I "did write you a short note, of which I have, "likewise, a copy somewhere; and I remem- "ber, too, the substance of it—I expressed to "you my surprise, that your credit was so "good, and that there were still to be found "any persons willing to trust you. The line of "my note, which you have extracted, was in- "serted by me to let you understand that you "were not conferring an obligation on me, "but that it was an act of friendship in me, "towards you, to let you know your friends.

"Sir, my surprise to find any tradesmen willing "to trust you was the greater, because I knew "several of the fraudulent pretences you had "used *since your enlargement* from the King's "Bench, to obtain goods from tradesmen.

"What you say concerning Mr. Onslow's let- "ters is not true; but it needs no refutation, "being nothing to the present purpose, and "bearing evident marks of falshood on the

" face of it; for who can be so gross as to believe,
" that—' It was printed without your consent
" from a copy you suffered me to take,' and this,
" too, after acknowledging that you printed the
" first letter yourself?

" JOHN HORNE."

" TO THE REV. MR. HORNE.

" *Prince's Court, Friday, May* 24.

" SIR,

" IN the accuracy of quotation you have a
" formidable rival in Mr. Lauchlin Macleane.
" You do not even publish your own letters
" correctly. I ought not, then, to be so unrea-
" sonable as to expect you should print mine
" more faithfully. The third letter you have
" quoted of mine to Mr. Wildman, has no
" date. Is there none in the original? I expect
" you to leave at Mr. Woodfall's every letter
" of mine, which you have quoted, and all those
" you print in future. Your letters to me
" shall accompany this, and be left for your
" perusal at the printer's. The palm of ex-
" actness and fidelity you should yield to the
" alderman of Farringdon Without.

" As to your *old clothes*, I have already said
" that they continued in my house, the Rue des

" Saints Peres, from May 25, till Nov. 1767, " and were then sent to the great English " banker's, Mr. Panchaud's. Your assertion of " the *pawning* them is an impudent falshood, " and a rascally return for the care I took of " such trifles, at your desire, during the time " I staid at Paris, and even on my leaving " France. As to the *vestimenta pretiosa* of *Eu-* " *trapelus*, it ought, undoubtedly, to be 'his " acquaintance,' not 'him.' Whether the " printer, or I, made the trifling mistake, I " do not recollect. The first idea was yours. " I turned your own cannon against you. Your " proof of my *plagiarism* of the Latin words is " pleasant. You pretend, I take *from you* " two lines and a half, not a word of which " you cited! I will only add, about the *old* " *clothes*, that, when you next wear *red*, I hope " it will be, 1 *suit of* SCARLET *and gold—cloth*, " not of *black died red with the blood*—of your " countrymen.

" The commissions of Mons. Sainte Foy, re- " spect that gentleman, not me. Mr. Wildman " never made the claim of such a debt at the " Bill of Rights. It is not to be found in the " list, nor was any application made on that sub- " ject by Mr. Reynolds, either at Bath or in " London.

" You declare, ' I knew several of the fraudu-
" lent pretences you had used *since your en-*
" *largement* from the King's Bench, to obtain
" goods from tradesmen.' I know Mr. Horne
" to be the *father of falshoods.* I call upon
" him to produce *one single instance,* and I
" dare him to publish every thing he knows of
" me of every kind.

" I shall now, sir, in answer to what has
" been reported, relative to me and Mr. Fitz-
" herbert, give the following letter to Mr.
" Onslow:—

" ' *Rue de Saints Peres, Dec.* 12, 1765.

" ' MY DEAR SIR,

" ' I REGRET that I am obliged to send
' this by the post, but I do not hear of any
' friend's going soon to England, and I think
' that it becomes the fairness of all my pro-
' ceedings, with respect to the gentlemen, with
' whom I have been concerned, to state two or
' three facts to you, and immediately after I
' had taken my resolution. Mr. Fitzherbert
' has offered me, in the name of some of the
' ministry, the annual sum of one thousand
' pounds, to be paid out of the income of their
' respective places. I have rejected this propo-

'sal as clandestine, eleemosynary, and precarious. I demand, from the justice of my friends, 'a full pardon, under the great seal, for having 'successfully served my country. I will wait 'here till the first day of the new year. If I 'should not then have received it, I shall have 'the strongest proof that the present ministry 'are neither the friends of Mr. Wilkes nor of 'justice, because the letter of Mr. Fitzherbert 'tells me, "that there is perfect harmony 'among them, and the *perfect confidence and* 'support of their master."

"'The frankness of my nature, and the openness of my conduct, oblige me to give you 'this notice. I ask not the grace of a pension, 'or of an employment. I ask justice, and from 'gentlemen who declare that I have been "extremely useful, and ill-used," and that "they 'are my friends."

"'I beg the sincerest compliments of respect 'to the good old speaker, and to Mrs. Onslow.

"'I am ever, dear sir,

"'Your most affectionate, and

"'obedient, humble servant,

"'George Onslow, Esq.' "'JOHN WILKES.'

"I shall conclude with observing, that the "above letter was written in consequence of Mr.

" Fitzherbert's *mistaken* information to me, at a " time *when the men* you most hate were in* " *power*, during the *shortest*, because the most " *virtuous* of all the late administrations, to " whom we owe the parliamentary resolutions " against *general warrants* and the *seizure of* " *papers*, the repeal of the late *excise on cyder* " *and perry*, and of the *American stamp-tax;* " by which four glorious acts, the subjects, both " at home and in the colonies, have been re- " stored to their personal liberty, as well as their " invaluable and unalienable rights and privi- " leges. Such a conduct secured to them the " confidence of the people, and of course the " hatred of our sovereign, with their own speedy " dissolution.

" I am, sir,

" Your humble servant,

" JOHN WILKES."

* The Rockingham administration.

" TO MR. JOHN WILKES.

(LETTER VI.)

" SIR,

" I HAVE been asked, by some very well-
" meaning men,

" 1. Whether I did not, in my first letter, say,
" that I would open no account with you on the
" score of *private* character?

" 2. And yet whether I have hitherto charged
" you with any thing but bad actions of a pri-
" vate nature?

" 3. Whether your *private* character is worse
" now than it was when I went such lengths in
" your support?

" 4. Whether I did not at that time know your private character?

" 5. How then could I be a friend to such a
" man?

" 6. If I was your friend only for the sake of
" the public cause, whether the same reason does
" not remain?

" 7. Whether your cause is not still the same?
" And,

" 8. Why I will suffer any private pique or
" quarrel between us to come before the public
" and injure that cause?

" To which I answer,

" 1. 2. I have hitherto confined myself, ac-
" cording to the plan laid down in my first let-
" ter, to show, from facts, what must have been
" the motives of my conduct and the nature of
" the intercourse between us. For that purpose
" it was necessary for me to mention such parts
" of your ill behaviour as fell within *my own*
" *knowledge* and *related to myself* at the time of
" its *commencement;* that it might from thence
" plainly appear to every one, that I could have
" no *private* attachment to Mr. Wilkes, though
" I was determined, to the utmost of my poor
" abilities, to assist *him and his cause as far as*
" *it was a public cause* *, and might tend to
" public benefit. Had it been my intention to
" attack your private character, (which I under-
" stand to be on all sides given up,) I should
" have pursued a very different method: the
" transactions I have mentioned are mere pec-
" cadillos compared to the black catalogue which
" would then have appeared.

" 3. Your private character is not worse now
" than it was when I went such lengths in your
" support; except that by continuing your for-

* " The declaration of the society of supporters of the Bill
" of Rights, when it was first formed."

" mer bad practices in every respect, notwith-
" standing every reason, public and private, to
" restrain you, all hopes of your amendment are
" vanished; for the ingenuity of man cannot
" find out an additional motive of restraint.

" 4. 5. I knew enough of your private cha-
" racter at the time of the Middlesex election not
" to enter into any private connexion with you;
" and to have no motives but what were public
" for the sacrifices I made and the hazards I
" ran. But I did not know your private cha-
" racter as I have known it since. When I first
" went abroad, early in the year 1763, I knew
" no more of you than what the papers told me,
" that you, in conjunction with Churchill and
" Lloyd, were one of the authors of the North
" Briton. What I afterwards heard against you,
" on my return, in 1764, I imputed, for the greater
" part, to the rage of party and the malice of
" your enemies: I supposed you liberal in spe-
" culation, and not a very rigid moralist in
" action: I have not to this moment read the
" Essay on Woman; and, whatever it may con-
" tain, I should have felt more indignation
" against those who bribed the printer to betray
" you, than against you who were betrayed; be-
" cause it was a mean villainy, almost equal to
" the treacherous publication of a *private*,

"*friendly, confidential* letter; but a villainy of "which you can now complain no more.

"*Wilkes*, with the education of a gentleman, "has exceeded in meanness and want of senti- "ment his servant *Curry*. In the year 1767, I "first *knew* some part of your private character, "and no sooner *knew* than avoided you. Since "that time, in the progress of my excessive in- "dustry to extricate you from your difficulties, "I have, to my astonishment, found to be true, "not only all that has been alledged against you, "but much more. However, were it possible "to add to the measure of your private turpi- "tude, it would not prevent me from acting over "again in the same manner I have done; and "was there an election for Middlesex to-mor- "row, (the right of the electors being left un- "vindicated,) or any other point of public con- "cern, the benefit which *you* might receive "from my labour or my sufferings should not "make me in the least relax the one or decline "the other.

"6. 7. I was your friend only for the sake of "the public cause: that reason does, in cer- "tain matters, remain; as far as it remains, so "far I am still your friend; and therefore I said, "in my first letter, 'the public should know "how far they *ought*, and how far they *ought* "*not*, to support you.'

" To bring to punishment the great delinquents " who have corrupted the parliament and the " seats of justice; who have encouraged, par- " doned, and rewarded murder: to heal the " breaches made in the constitution, and, by " salutary provisions, to prevent them for the " future: to replace, once more, not the *admi-* " *nistration* and *execution*, for which they are " very unfit, but the *checks* of government " *really* in the hands of the governed;

" For these purposes, if it were possible to " suppose that the great enemy of mankind " could be rendered instrumental to their hap- " piness, so far the devil himself should be sup- " ported by the people. For a human instru- " ment they should go further; he should not " only be supported, but thanked and rewarded, " for the good which perhaps he did not intend, " as an encouragement to others to follow his " example. But if the foul fiend, having gained " their support, should endeavour to delude the " weaker part, and entice them to an idolatrous " worship of himself, by persuading them that " what he suggested was their voice, and *their* " *voice* the *voice of God:* if he should attempt " to obstruct every thing that leads to their se- " curity and happiness, and to promote every " wickedness that tends only to his own emolu- " ment: If when—*the cause*—*the cause*—rever-

" berates on their ears, he should divert them " from the original sound, and direct them to- " wards the opposite unfaithful echo: if confu- " sion should be all his aim, and mischief his " sole enjoyment, would not he act the part of " a faithful monitor to the people, who should " save them from their snares, by reminding " them of the true object of their *constitutional* " worship, expressed in those words of *holy writ*, " (for to me it is so,) *Rex, lex loquens*; *lex, rex* " *mutus*. This is—*the cause*—*the cause*.—To " make this union indissoluble is the only cause " I acknowledge. As far as the support of Mr. " Wilkes tends to this point, I am as warm as " the warmest; but all the lines of your projects " are drawn towards a different center—your- " self; and if, with a good intention, I have been " diligent to gain you powers, which may be per- " verted to mischief, I am bound to be doubly " diligent to prevent their being so employed.

" 8. The diligence I have used for two years " past, and the success I have had in defeating " all your shameful schemes, is the true cause " of the dissention between us. I have never " had any private pique or quarrel with you. " It was your policy, in *paragraphs* and *anony-* " *mous letters*, to pretend it; but you cannot men- " tion any private cause of pique or quarrel.

" To prevent the mischief of division to a po-
" pular opposition, those who saw both your
" bad intentions and your actions were silent;
" and, whilst they defeated all your projects,
" they were cautious to conceal your defects.
" They studied so much the more to satisfy your
" voracious prodigality, and thought, as I should
" have done if a minister, that, if feeding it
" would keep you from mischief, a few thousands
" would be well employed by the public for that
" purpose. But I can never, merely for the
" sake of *strengthening* opposition, join in those
" actions, which would prevent all the good
" effects to be hoped for from opposition, and
" for the sake of which alone any opposition to
" government can be justifiable. Such a prac-
" tice would very well suit those who wish a
" change of ministers. For my part, I wish no
" such thing; bad as the present are, I am afraid
" the next will not be better, though I am sure
" they cannot be worse. I care not under whose
" administration good comes.

" But the people must owe it to themselves,
" nor ought they to receive the restoration of
" their rights as a favour from any set of men.
" minister, or king. The moment they accept
" it as a *grant*, a *favour*, an *act of grace*, the
" people have not the prospect of a right left.

" They will from that time become like the mere
" possessors of an estate without a title, and of
" which they may be dispossessed at pleasure.
" If the people are not powerful enough to make
" a bad administration, or a bad king, do them
" justice, they will not often have a good one.
" Would to God, the time were come, which
" I am afraid is very distant, beyond the period
" of my life, when an honest man could not be
" in opposition! I declare I should rejoice to
" find the patronage of a minister in the smallest
" degree my honour and interest. I never have
" pretended to any more than to prefer the
" former to the latter. But it is not upon me
" alone that you have poured forth your abuse,
" but upon every man of honour, who has de-
" served well of the public; and if you were
" permitted to proceed, without interruption,
" there would shortly not be found one honest
" man who would not shudder to deserve well
" of the people.

" The true reason of our dissension being made
" public, is, that you could not get on a step
" without it; and you trust that the popularity of
" your name, and your diligence in paragraphing
" the papers, will outweigh with the people the
" most essential services of others; and that you
" shall get rid of all control, by taking away

" from those who mean well the confidence of " the people. If you can once get them af- " fronted by the public, whom they have faith- " fully served, you flatter yourself that disgust " will make them retire from a scene where such " a man as you are, covered with infamy like " yours, has the disposal of honour and disgrace, " and the characters of honest men at his mercy.

" I mean to prove what I have said by facts; " and though it does not come in the regular order " of time, which I meant to observe, nor with that " strength, with which a number of preceding " transactions made it affect my mind, I will " now mention one, which, with two or three " others, made you despair of using me in your " plans, and made you hasten the rupture.

" Some time in last July, when I was upon a " visit to Mr. alderman Oliver, at Putney, you " came there, and persuaded me to go with you " to your house at Fulham, where I had never " before been, that we might the next morning " go together by water to London. In the boat, " you began with me a conversation about the " city, as exactly as I can recollect, to the fol- " lowing effect:

" *W.* ' I think I ought to consider something " about providing for my friends, and being " prepared with candidates for the city offices.

"Give me your opinion: who do you think "should be town-clerk?'

"*H.* 'Why, is sir James Hodges dead?'

"*W.* 'No; but he is not very young, nor in "very good health; and one ought to be pre- "pared against accidents. There should al- "ways be a candidate fixed upon ready.'

"*H.* 'Since you have asked my opinion "about it, I will give it you very freely: I think "directly the contrary. Consider your situa- "tion; your influence is not personal, but de- "pends entirely upon the propriety of your "measures. Though you may consider of the "thing in your mind, you should never fix "upon a candidate till the very time of election, "nor talk about it to any one. The man that "might be most proper this year may be very "improper the next. It is your business, when "the time comes, to consider who is the most "fit for the office, and has the best claim to the "favour of the citizen; and if those circum- "stances are nearly equal in different candidates, "then to adopt him who is most likely to succeed: "by which means the party you espouse will "generally be victorious; and you will have the "credit of having carried many a candidate by "your interest, when indeed he will be carried "by the merits of his own pretensions: and "should you at any time miscarry, your defeat

" will do you no harm; for every one will ac-
" knowledge that your man ought to have suc-
" ceeded; and, by seeing you always espouse the
" most worthy, the public will in time have a
" strong inducement to support your candidates,
" and will reasonably conclude that he is probably
" the most worthy whom you espouse: whereas,
" by following a different course, though you
" may succeed once or twice, your very successes
" will disgrace and ensure you a future defeat.'

" *W.* ' All this may do very well in theory,
" but Reynolds has done so much, and is every
" day doing so much for me, that I think he
" ought to be fixed upon as town-clerk.'

" *H.* ' In my opinion you have fixed upon
" the last man in the city that should be thought
" of for that office; and I may speak it the
" more freely, because Reynolds has experienced
" that I do not want an inclination to serve
" him. When he sent Mr. Tr——n to desire
" me to ask Mr. Sawbridge to appoint him his
" under-sheriff, he knows that there was not a
" minute between Tr——n's application to me and
" Mr. Sawbridge's granting my request: he knows,
" too, the steps I have since taken to serve him
" in that line. There is nothing improper in
" his being under-sheriff, because that is a *pri-*
" *vate* favour granted by the *sheriff*, who serves
" the office at a very great expense. But the

" lucrative city-offices are very different things:
" they ought always to be disposed of to the old
" citizens of long standing, not those who make
" themselves free for the purpose; to men of re-
" spectable characters, who can plead services
" to the city; or at least to those, who, with
" equal merit, have not perhaps been so success-
" ful as their neighbours, and are not so easy
" in their fortunes as their fellow-citizens think
" they deserve. Reynolds has not the least claim:
" he is a freeman only of yesterday; and you will
" certainly forfeit the esteem and support of the
" citizens, and narrow yourself to a very small
" circle indeed, if they see you endeavouring to
" confine all the emoluments of the city to your
" attornies, agents, and particular adherents, to
" the exclusion of those who have long borne the
" burden of the city, and whose right those
" offices are. You ought, on the contrary, on
" these occasions, to assist worth and merit
" wherever you find it, whether amongst your
" own party or out of it, or even amongst your
" adversaries; and, by so doing, your enemies
" will be less jealous of your power and less bitter,
" and the number of your friends will increase
" as the approbation of your conduct increases.'

" Mr. Wilkes seemed much chagrined, and
" did not at all relish my arguments, but turned
" the conversation to other subjects. About

" ten days afterwards, Mr. Reynolds came to me, " and told me he desired my advice and assist- " ance: that Mr. Wilkes had been talking to " him about being town-clerk. — I repeated to " Mr. Reynolds the arguments I had used to Mr. " Wilkes, with many others particularly affect- " ing Mr. Reynolds; and Mr. Reynolds told me " he was convinced, by what I had said, and " should think no more of it.

" On the *first* of *August,* I went to Guilford, " on account of the trial on my cause with Mr. " Onslow. After the trial, about twenty of us " dined together; and after dinner Mr. Heaton " Wilkes took me out into another room, and " solicited my influence, in his behalf, for the " chamberlainship. Relative to this subject, I " fully expressed my dissatisfaction by means " of a written communication.

" Upon this business I had afterwards some " very unpleasant conversation with Mr. Heaton " Wilkes, and not much better with Mr. John " Wilkes, who denied that he had ever approved " the measure; but insisted upon it, that his " brother had as good a right to be a candidate " as any other person. Mr. Heaton Wilkes has " continued his canvass, which he began many " months before he was a freeman, down to this " time, and was made free of the city of London " on the 27th of last September. " J. Horne."

"TO MR. JOHN WILKES.

(LETTER VII.)

"'THE palm of fidelity and exactness,' I "think you say, 'shall be yielded to the alder- "man of Farringdon Without.' Do you mean "the *fidelity* you exemplify by publishing pri- "vate letters? or the *exactness* with which "you discharge your obligations? Is there "either *fidelity* or *exactness* in what you say "a few lines afterwards? 'As to the *vesti-* "*menta pretiosa* of *Eutrapelus*, it ought un- "doubtedly to be—*his acquaintance*—not—*him* "—*Whether* the printer or I made the *trifling* "mistake, *I do not recollect*.' Not recollect a "circumstance of this kind at the distance of "two days? you are very *exact*, truly! The mis- "take itself is but a *trifling* one, and such as "you have always been very apt to make, only "a difference of *meum* and *tuum*; and whether "the bad character, given by Horace, relates to "you or to me.

"And here, sir, I will take the liberty to give "you some advice, which may be useful to you; "and, to recommend it, I will convey it in the "form most pleasing to you—a quotation.—

" *Hominem ingeniosum Marcum Antonium aiunt*
" *solitum esse dicere, idoirco se nullam unquam*
" *orationem* SCRIPSISSE; *ut si quid aliquando*
" *non opus esset ab se esse dictum, posse se ne-*
" *gare dixisse.*

" I perceive you do not choose to confess having
" received the *pension* from some part of the
" Rockingham administration; but instead of it,
" give us a letter to Mr. Onslow on the 12th of
" December, 1765. The word *precarious*, in
" that letter, is a very ugly reason for a patriot
" to give against accepting a *pension*, which was
" offered to him in order to keep him quiet
" abroad: but what shall we say if he afterwards
" received the money? I EXPECT you to give a
" *clear, unequivocal* answer on the subject; re-
" membering always the above quotation. Why
" do you say nothing of the other extract from
" my letter about the expectations you had
" formed of being sent ambassador to Constan-
" tinople, a short time *before* your letter against
" the *duke of Grafton* was published?

" The extracts you have meanly made from
" my letter, had not the least relation to any
" thing in discussion; you gave them merely to
" injure me in my profession: it was needless.
" I gave up all hopes of preferment from the
" moment I first embarked in the public cause.

"I did then determine to be as prudent as I "could; but, if it was necessary, to sacrifice all "that I could call *my own:* I continue in the "same resolution; and when I shall have spent "the last farthing, I will retire and earn my "bread before I eat it: and, carrying with me my "own approbation, I shall not blush when my "elbow comes through my coat; nay, should I "even be reduced to the state of our first pa-"rents, I should, like them, be *naked* without "being *ashamed.*

"JOHN HORNE."

"TO THE REV. MR. HORNE.

"*Prince's Court, Tuesday, May* 28.

"SIR,

"I THANK you for the entertainment of "your *sixth* letter. The idea of an *unfaithful* "*echo,* although not quite new and original, is "perfectly amusing; but, like Bayes, you love "to elevate and surprise. I wish you would "give the list of *echoes* of this kind, which you "have heard in your travels through France and "Italy. I have read of only one such in a "neighbouring kingdom. If you ask, *how do* "*you do?* it answers, *pretty well I thank you.* "The *sound* of your *unfaithful echo* can only be

" paralleled by Jack Home's *silence* with a " *stilly sound,* in the tragedy of Douglas:

" ' The torrent, *rushing* o'er its pebbly banks,
Infuses *silence* with a *stilly sound.*'

" I have heard of the *babbling*, the *mimic*, the " *shrill echo.* The discovery of an *unfaithful* " *echo* was reserved for Mr. Horne. Really, sir, " I should have thought, notwithstanding all " your rage, you might have suffered an *echo* to " be *faithful.* I did not expect *novelty*, or *va-* " *riety*, much less *infidelity*, from an *echo.*

" Every thing you have advanced relative to " the town-clerkship and Mr. Reynolds, you well " know to be wholly a lying imposture of your " own. I never had a moment's conversation " with you on the subject, nor have I at any " time in my life mentioned to Mr. Reynolds his " being town-clerk. I declare the whole of this " accusation against me is one entire falshood. " No courtier seems to me to enjoy the luxury " of lying equal to the minister of New Brent- " ford.

" As to the chamberlainship, you, and many " others, have warmly and frequently pressed " me to offer my services in case of a vacancy. " My answer has regularly been, ' I never will " accept it. I know it, indeed, to be the most

" lucrative office in the gift of the city, but I can " be more useful in my present station. I am " not avaricious. My wishes are now few, and " easily gratified.' All my friends know this " has been my constant answer. Early in the " last summer my brother started to me the " idea of his offering his services for the cham- " berlainship on the first vacancy, and said, that " he hoped he should succeed both from his near " relationship to me, and the interest of his " private friends. I endeavoured to dissuade " him from the project, which I thought would " be hurtful to himself as well as to me.

" Your shuffling answer will not impose. I " again insist, that the *original* of every letter " you have quoted, or shall quote, be left at " Mr. Woodfall's, in his custody, for my peru- " sal. As to your brother-in-law, Mr. Wild- " man, let him deliver his account *on oath*. I " will follow him into Westminster Hall.

" When you mention the *injuring you in your* " *profession*, recollect the unfair and unpro- " voked treatment of *Mr. Adair in his profes-* " *sion*. He surely has his *profession* at heart as " much as the Rev. Mr. Horne. The *injury* of " which you complain, is received from yourself, " from a letter of your own, of which you kept " a copy, published in consequence of the

" treachery of your own conduct. Scorpion-
" like, you have stung yourself to death.

" I am, sir,

" Your humble servant,

" JOHN WILKES."

" TO MR. JOHN WILKES.

(LETTER VIII.)

" MR. COTES and Mr. Reynolds seem to " *declare upon their honour* with as little " scruple as Jews swear on the New Testa-" ment*. Alas! the *policies* will enrich the " one no more than the *town-clerkship* the other. " And Mr. Wilkes, whose '*heart is* at present " *too full to say one word except his feelings of* " *gratitude*,' will some time hence say to them, " as he does now to Mr. Wildman—'Deliver in " your account on oath: I will *follow* you into " Westminster Hall.'—Mr. Wildman, sir, will " *find* you there.

" You say (as you did before) that you did " not approve your brother's attempt; although, " not approving it, he shall have your vote.

* This is in allusion to two letters by these gentlemen, which it was deemed unnecessary to reprint.

" You said so, it is true; but I did not believe " the truth of what you said. Your brother " used the argument of your *approbation* very " strongly to me as well as to others. I know " that, like you, he has since chosen to deny it. " Unfortunately for you both, sir, he has made a " *written* application. He applied to me on the " *first* of August. On the *fourth*, I wrote him " an answer. On the *sixth*, he wrote to Mr. " Bellas, addressed to him at Farnham, in Sur- " rey, testifying his brother's assent.

" Now, sir, what subterfuge? Did you ap- " prove, or did you not? If you did *not* ap- " prove, what credit can for the future be given " to your brother? And whose testimony will " you employ to prove that you were not to " have a *share* in the office? You are very dis- " creet when you refuse to '*accept* any place in " the city.' The disposal of *all* would be " much more lucrative to you than the posses- " sion of *one*; and if, instead of a *share*, your " candidates were all able, like Mr. Reynolds, to " *advance* the price of the office, your gain would " be less *precarious*.

" Will you content yourself, as you have " hitherto done, to deny all, and leave it on your " own bare authority? I believe you will; for I " know that you cannot defend yourself a mo-

" ment, without being driven to an impudent,
" manifest contradiction of the most consistent
" circumstances; the best attested truths; the
" most notorious facts; and the clear testimony
" of some of the most respectable public men in
" the world; I mean Mr. Oliver, Mr. Towns-
" end, Mr. Sawbridge, Mr. Glynn, sir Robert
" Bernard, Mr. Bellas, Mr. Lovell, &c. &c.
" These, with a great number of other gentle-
" men of considerable character in private sta-
" tions, have been witnesses to the whole of my
" conduct; to them I shall be forced frequently
" to appeal, and, with the most perfect confi-
" dence, I trust my character to their *affirma-*
" *tions*; against the declarations, *upon honour*,
" of such men as Mr. *Reynolds* and Mr. *Hum-*
" *phry Cotes*.

" JOHN HORNE."

" TO MR. JOHN WILKES.

(LETTER IX.)

" IT is easy to perceive, by your letters, that
" you are of opinion with the countryman, who,
" being asked what he was sowing, replied, I
" am sowing fools.—Why don't you rather sow
" wise men?—Because they don't grow here.—

" I believe, sir, you may perhaps for one season " more have a pretty plentiful crop; but, depend " upon it, there are speedily coming upon you long " years of famine. For my own part, I have not " the least desire to convince those who are not " convinced by your own letters, especially by " that letter, which your brother has signed, in " last Friday's paper.

" It consists of *accusations* against me, and " *recommendations* of Mr. Heaton Wilkes.

" The accusations are,

" 1. That I have drawn out Heaton Wilkes's " name *unfairly*.

" 2. That I have *wantonly* brought *false* and " *malicious* charges against him, to prejudice " him in a *fair* and *honourable* pursuit.

" 3. That I am *intimate* (in *italics*) with Mr. " Townsend.

" 4. That I have changed my opinion.

" 5. That I have acted a part of which Mr. " Heaton Wilkes would be ashamed.

" 6. That I have uttered a *shameful falshood* " in declaring, that he *canvassed* some months " before he was a freeman, and has continued " it to this time.

" 7. That I have made *lying accusations*.

" 1. It cannot be *unfair* for me, when driven " to it, to tell the cause of all the abuse which *you*

"have poured upon me and others. I could "not join with you in any impositions upon "the public—(your attempt upon the chamber- "lainship was of that number:) if I could not "silently prevent, it was my duty to oppose "them: my repeated and obstinate refusals "raised your resentment and apprehensions: "what I would not assist, you feared I should "obstruct: your revenge and policy, therefore, "urged you to an attack; and, had I been in a "situation like Mr. Garrick's, at the mercy of "a momentary delusion of the public, I might, "perhaps, like him *, have yielded to your unrea- "sonable displeasure, though I think, that, with "half his merit, I should have had twice his "courage. But mine is a very different situa- "tion: I have no more to expect from the "public than from any minister present or

* Whilst Mr. Wilkes was in the King's Bench, he sent a threatening message to Mr. Garrick to forbid his playing the part of Hastings in the tragedy of Jane Shore; on account of some lines in that play which Mr. Wilkes thought applicable to his own situation. Mr. Garrick complained exceedingly of the cruelty of such an interdict, and wished to be permitted to proceed in his endeavours to please the public in the common course of his profession. The patriot was inexorable; and Mr. Garrick has not appeared in that character since. The lord-chamberlain's control, by act of parliament, over the pleasures of the public, is exercised only over new plays.

" future; and if I should ever solicit either, I " do now bespeak their refusal: ministerial and " court favour I know I can never have, and " for public favour I will never be a candidate: " I choose to tell them, that, as far as it affects my- " self, I laugh at the displeasure of both. Though " I knew not the person of any one man in op- " position, I quitted all my friends and con- " nexions, when I joined the public cause; and, " with my eyes open, exchanged ease and fair " fame for labour and reproach: however, I was " always determined not to be engaged, by party, " in any thing my mind did not approve; and, " if I could not do good, to retire as I came— " ' *alone*, but not *dishonoured*.'

" 2. They who are not satisfied, with the " proofs I have given, that the charges con- " cerning the chamberlainship are true, and who " think the *joint* attempt of *John* and *Heaton* " *Wilkes* upon that office to be a *fair* and *ho-* " *nourable pursuit*, are welcome to believe me " *wantonly false* and *malicious*.

" 3. ' I have reason to be well persuaded, that " no part of Mr. Townsend's conduct will ever " set my principle at variance with my private " friendship.' I am justly proud of that *inti-* " *macy* which you would make my reproach; " and, for his sake, will be the more careful of

" my actions, that he may never be reproached " for me.

" 4. I have not changed my opinion of you, " since I knew you at all, except in *degree:* in " that, I think, I am excusable: my small expe- " rience of mankind, and my reading even the " exaggerated bad characters of plays and ro- " mances, had never furnished me with any ex- " ample of a character so hideous as yours: " should I ever find a second *John Wilkes*, my " whole system of philosophy would be altered.

" 5. Of what will Mr. Heaton Wilkes hence- " forward be ashamed? — In his letter to Mr. " Bellas, inserted in last *Thursday's* paper, he " says, ' My brother has kindly assured me he " should APPROVE of my offering my services to " the city.' In his letter of Friday, (the very " next day after the appearance of the first,) he " says, ' The only reason why my brother DISAP- " PROVES of my intention,' &c.—In his letter to " Mr. Bellas, he says, ' My brother kindly " assured me he would do me *all the service in* " *his power*.'

" 6. To prove the *shameful falshood* of my " declaration, that Heaton Wilkes *canvassed* " some months before he was a freeman, and " has continued it to this time, what does he " say?—' I declare, *on my honour, (a third ho-*

" *nourable man,*) I have not, to this hour, asked " any one liveryman for his vote.'—' I applied to " Mr. Horne and Mr. Bellas for their assistance. " —I added, I shall be much obliged to you, " (Mr. Horne,) if you will speak to Mr. Towns- " end.—AFTER I mentioned it to my brother, I " *told* my intentions to many of my friends: I " met with a *general* approbation; (this, too, I " suppose, *on his honour*;) I can claim many " *unasked* promises.'—*Unasked!* In the name " of—(what shall I say? By what can the " Wilkeses be conjured?)—In the name of your " interest, tell us, of what kind were the appli- " cations your brother made? and what is to be " understood by the concluding lines of his " public address to the livery of London, who " 'lie under those *very great obligations* to " YOU?' What is the meaning of these words— " 'Give me leave to declare, with all due re- " spect, that, whenever a vacancy shall happen, " I shall take the earliest opportunity of offering " my services.'—How can a canvass, *before a* " *vacancy*, be declared more publicly?

" To the seventh charge I make no further " reply.

" In your brother's address to the livery, I can " find but two articles of recommendation on " which to ground his pretensions:

"1. His near relationship to John Wilkes, "ESQUIRE, as he terms his brother; and,

"2. That the chamberlainship will enable "him to assist the said John Wilkes, ESQUIRE, "more liberally.

"This *near relation* to John Wilkes, ESQUIRE, "(who is now desirous to assist him more libe- "rally,) was pressed very earnestly by Mr. T. "B———, a stranger to them both, to join with "him in bailing a debt for the ESQUIRE, when "he was arrested during the city election; but "not having then a chamberlainship in view, "he obstinately refused, and the very bailiff, "who arrested his brother, joined, through in- "dignation, with Mr. T. B———, in bail for "this *near relation*.

"If 'Mr. Reynolds's *honour* will, (as you say,) "remain unspotted till the Jews are sworn (by "direction of court I suppose you mean) on "the New Testament,' his testimony must then "be admitted by you to prove that your *near* re- "lation, being himself out of the scrape, advised "John Wilkes, ESQUIRE, to run away from his "bail. *Par nobile fratrum!*

"Upon the whole, I allow there could be no "objection of *inconsistency in their choice*, if "the livery should choose to return you both as "*sheriffs* together, or to the court of aldermen

" for the office of *lord-mayor;* but, unfortunately " for your scheme in question, the election for " the *chamberlainship* is not used to bring forth " TWINS.

" JOHN HORNE."

" TO THE REV. MR. HORNE.

" *Prince's Court, Thursday, June 6.*

" SIR,

" YOUR *ninth* letter has relieved me not a " little, by taking me to the theatre, and re- " calling to my delighted remembrance the " amazing powers both of nature and art in the " most wonderful genius that ever trod the " English, or, perhaps, any stage. You say, " ' Whilst Mr. Wilkes was in the King's Bench, " he sent a threatening message to Mr. *Garrick,* " to forbid his playing the part of *Hastings* in " the tragedy of *Jane Shore;* on account of " some lines in that play which Mr. Wilkes " thought applicable to his own situation. Mr. " Garrick complained exceedingly of the cruelty " of such an interdict,' &c. The whole of this " pompous tale is, that some warm friends of " Mr. Wilkes imagined that Mr. Garrick acted " the part of *Hastings* at that time in a manner " very different from what he had usually done,

" and marked too strongly some particular pas-
" sages, unfavourable to the generous principles,
" and to the friends of freedom. They talked
" of expressing their disapprobation in the
" theatre, at the next representation of *Jane*
" *Shore*, and likewise in the public prints. Mr.
" Wilkes, therefore, thought it prudent to state
" the case, by two or three gentlemen, to Mr.
" Garrick himself, and said he *feared* the part of
" *Hastings* might bring on many disagreeable
" consequences to the great actor himself, as
" well as to Mr. Wilkes and his connexions, if
" continued in the manner then stated. Mr.
" Garrick received the friendly admonition in
" the most friendly way; but declared that the
" gentlemen who had given Mr. Wilkes the ac-
" count of his acting *Hastings*, had greatly
" mistaken; that he had not made the least
" alteration in the usual manner of acting that
" part on account of the political disputes of the
" times, but been solely guided by his own feel-
" ings; that he always had acted that part, and
" always should play it in the same manner, not,
" however, slavishly copying himself, but with
" all the variety, which, from time to time, his
" genius might dictate, preserving still the cast
" and spirit of the original character. Nothing
" more passed on this subject between Mr. Gar-

" rick and me, nor has that gentleman ever ex-
" pressed the slightest displeasure against Mr.
" Wilkes or his friends; so far has he been from
" *complaining exceedingly of the cruelty of an*
" *interdict*, which never existed.

" Did it escape your memory, sir, that one
" of the objections made at that time by my
" friends, was the peculiar emphasis Mr. Garrick
" was said to give to the following lines of
" *Hastings*, which some *thought applicable to*
" *your situation?*—

" ' Ill befal
Such *meddling priests*, who kindle up confusion,
And vex the quiet world with their *vain scruples*;
By Heaven 'tis done in perfect spite to peace!'

" You say, ' I think with half his (Mr. Gar-
" rick's) merit, I should have had twice his
" courage.' If you mean *theatrical merit*, I can
" tell you of some parts in which you would in-
" finitely exceed our great English actor. I
" mean all those parts from which—*fugiunt*
" *pudor, verumque, fidesque. In quorum subeunt*
" *locum fraudes, dolique, insidiæque, &c. &c.*
" *You* would *act, and be, Iago* with success.
" Mr. Garrick has that *in him*, which must ever
" prevent his acting well in that character. You
" have that *in you*, which would make it easy

" and natural. *Shylock*, too, our Roscius must " never attempt. The Christian priest of Brent- " ford has no *vain scruples* to prevent his under- " taking and being applauded in that part. He " might then talk of *dying his black coat red* " *with blood* in an innocent way on the stage, " which at Brentford inspired a savage horror.

" The pleasing hours which Mr. Garrick gave " me at the King's Bench, I have deducted from " the injury of a long and cruel imprisonment, " and I think of him as Cicero did of the great " Roman actor, *Cum artifex ejusmodi sit, ut* " *solus dignus videatur esse, qui in scena spec-* " *tetur: tum vir ejusmodi est, ut solus dignus* " *videatur, qui eo non accedat.*

" You assert, 'Though I knew not the person " of any one man in opposition, I quitted all " my friends and connexions when I joined the " public cause; and, with my eyes open, ex- " changed ease and fair fame for labour and re- " proach.' I desire to know what one friend, " and what single connexion, you have quitted " for the public cause? Your *fair fame* at Eton " and Cambridge survived a very short time your " abode at either of those places. Will you " call an Italian gentleman now in town, your " confidant during your whole residence at " *Genoa*, to testify the morality of your con-

"duct in Italy?—But I will not write the life of "Jonathan Wild, nor of orator Henley.

"You declare, '*Ministerial and court favour* "I know I can never have, and for *public favour* "I will never be a candidate: I choose to tell "them that, as far as it affects myself, *I laugh* "*at the displeasure of both.*' You well know "that no minister will ever dare *openly* to give "you any mark of *court favour*, at least in the "*church*: many *secret favours* you may, you do, "expect, and some I believe actually receive. "The public you have abandoned in despair, "after an assiduous courtship of near four years; "but remember, sir, when you say, that *you* "*laugh at their displeasure*, the force of truth "has extorted even from lord Mansfield the "following declaration: 'The people are almost "always in the right: the great may sometimes "be in the wrong, but the body of the people "are always in the right.'

"I am, sir,

"Your humble servant,

"JOHN WILKES."

"TO MR. WILKES.

(LETTER X.)

"INJURIES for benefits is the ancient com-
"merce of mankind. It is not a new branch
"discovered by Mr. Wilkes, though he cer-
"tainly carries it on in a manner much more
"extensive than usual. After signing your
"name to a declaration, that Mr. Oliver (your
"generous benefactor) refused to do you *justice*,
"I cannot wonder you should make your at-
"torney say, that the balance of private favours
"between him and me is on his side. I never
"received any ONE favour, either from you or
"Mr. Reynolds in my life. You formerly ac-
"cused me anonymously of having collected
"various subscriptions, and converted them to
"my own purposes; amongst others, you men-
"tioned the subscription for the appeal of the
"widow *Bigby*. You did not do this with any
"hopes of fixing such an imputation upon me;
"you had a more malevolent design; and with
"the same view you now make Mr. Reynolds
"say, (without the least relation to any thing in
"question, and in contradiction to your former
"charge of concealment,) that he, this man of

" *spotless honour,* accompanied me to several " gentlemen's houses in Westminster, for sub- " scriptions for the widow *Bigby.* No doubt, " sir, there is a fine set of murderers let loose, " whom I have endeavoured to bring to jus- " tice,—*Io Mio* and *Ario ;*—and you, like the in- " fernal magician, by pointing out their prosecu- " tor, have tacked them to my tail, and bid them " —*stick close, boys.*

" But neither this nor the other gross abuse, " with which you daily fill the papers, shall take " from me my temper, nor divert me from my " purpose. I do not desire to make myself " greater or you less, I desire only to prevent " mischief. I ask not the confidence of the " public, nor am I in a situation to abuse it: " my good or bad character, (though it is far " out of your reach,) can only benefit or hurt " myself; to them it is a matter perfectly indif- " ferent. Not so with you. You are a *public* " man; and it is necessary for their safety, that " they should be told, since nothing can restrain " you, to what precipices you would lead them, " and into what destruction, disgrace, and ridi- " cule, you would plunge them.

" It is not by *recrimination,* but by defence, " that you can ever be able to gain their *im-* " *plicit* confidence: it is not by telling them,

" that I am an *atheist*, but by justifying the aim " and object of your political pursuits, that you " must expect their support. The utmost you " can obtain by your method of *recrimination* is, " to have the public say, *Wilkes* and *Horne* are " both rogues alike, and it is difficult to deter- " mine which is the greater. The idle, the " careless, and the incapable, are sure to make " this decision; because it saves the two first " from the trouble of inquiry, and the last can- " not form a judgment: to these are joined the " whole ministerial and selfish tribe, whose fa- " vourite maxim, and whose real belief it has " always been, that all men are rogues alike, " and that patriots of all professions are the " same.

" These general decisions are very convenient " to cover ignorance and palliate knavery. How " absurd! that, whilst they allow a difference in " degree of all other virtues and vices; whilst " they are forced to acknowledge that all men " and women are not equally chaste or lustful, " sober or drunken, prudent or prodigal, &c., " they should yet contend that all are equally " mercenary! Though these men do not compose " the whole of mankind, they make up a very " considerable part; and your method of con- " troversy has entirely forfeited their assistance,

" Men of reflection, integrity, and discernment, " are disgusted at the grossness of your abuse, " and perceive guilt to be the cause of your " shuffling evasions: not that I believe you " would be sorry at *their* removal from you, if " it were not that you are sensible — 'the " *fleece* accompanies the *flock*.' The natural " consequence of your behaviour is, that you are " at this moment reduced to a little faction of " about *forty* very inconsiderable names; many " of them honest, mistaken, or uninformed " simpletons; some of them jovial fellows, who " look no further than the laugh and merriment " of the table, and some of them disappointed " or interested knaves. To each of these, in his " turn, you *confidentially* declare how much you " despise the rest; and should every man to " whom you have made such a declaration, quit " your acquaintance, you would not have one " fool left whom you could flatter with the abuse " of another; and if your present adherents will " only compare notes together, they will easily " learn your opinion of them all.

" But to proceed — Having now established " Mr. *Heaton Wilkes* the declared, *advertising* " candidate for the chamberlainship of the city " of London; and secured to him your *public-* " *spirited* vote, though you disapprove his at-

" tempt; I will, in my next, begin to show your " conduct to the public society at the London " Tavern.

" JOHN HORNE."

" TO MR. JOHN WILKES.

(LETTER XI.)

" WHILST you were candidate for the city " of London, a subscription was opened on the " 19th of March, 1768, at Lee and Ayton's, the " bankers, for the payment of your debts: the " trustees for which were Messrs. John Mills, " Samuel Vaughan, Richard Oliver, Lewis " Mendez, George Hayley. These and a few " other gentlemen subscribed very liberally, and " great expectations were formed of its probable " produce; but the public cannot be said to " have contributed. This backwardness was " supposed to proceed from an apprehension " that the subscription would not be applied to " the payment of your debts, but to support " your election; the usefulness of which was " not at that time generally understood. To " obviate this objection, a promise was made by " the trustees, that no part of this subscription " should be applied to election purposes; the

" public were still backward to subscribe; and the " whole amount of the subscription from March " 19, 1768, to February 20, 1769, was 1,116*l.* " 7*s.* 7*d.* — Your debts were at this time sup- " posed to amount to about 6000*l.*—*Two shil-* " *lings and sixpence* in the pound were therefore " offered to such as would accept a composition ; " with a promise, that, if the dividend should be " greater, they who accepted the *two shillings* " *and sixpence* should receive their proportion. " As fast as something was paid, something was " likewise added daily to the list of your debts ; " and, instead of increasing the dividend, it was " discovered that *two shillings and sixpence* was " more than could be paid. Your best friends, " even those who were most able and generous, " despaired of the possibility of extricating you. " Another subscription was, however, opened " by a few gentlemen, (almost all the same,) for " your election expenses: this latter subscrip- " tion amounted to 1,227*l.* 3*s.*——You were " chosen for the county of Middlesex ; and soon " after, in this desperate situation of your pri- " vate affairs, were sentenced to two years im- " prisonment, and two fines of *one thousand* " *pounds*. *Privilege* gave some respite from " your debts; but, notwithstanding this and the " generosity of individuals, (many of whom

" exerted themselves in presents to you much
" beyond their stations in life,) it was found ex-
" ceedingly difficult to furnish you even a daily
" support. Most of those who were so generous
" to you at that time, have since been the ob-
" jects of your bitterest resentment. The best
" method then found for a little knot of public-
" spirited men, (who bore the whole burden with
" very unequal force, drained as they were by
" subscriptions and expenses,) to procure you
" a necessary subsistence, was, to have very fre-
" quent meetings at the King's Arms Tavern, in
" Cornhill; where each paid a little more than
" his share of the reckoning, and, when the over-
" plus amounted to about *ten* pounds, it was
" regularly sent to you.

" Never, surely was a great public cause so
" overlaid with the wickedness and folly of an
" individual as the present! Every day brought
" fresh difficulties and disgrace on Mr. Wilkes;
" and yet he was the only person who, all the
" while, felt no distress, denied himself no ex-
" pense, was neither sensible nor apprehensive
" of any disgrace. The just abhorrence of Mr.
" Wilkes, as a private man, kept many good men
" at a distance from the cause of the people,
" which was unhappily blended with his per-
" sonal persecution: the friends of that cause

" were therefore anxious to cover, if possible,
" or to lessen the infamy, of which he was care-
" less. The breach of trust committed by him
" towards the *Foundling Hospital* began to make
" a noise; being found, upon inquiry, to be too
" true, it demanded their earliest attention. Two
" gentlemen immediately advanced *three hun-*
" *dred pounds* to the hospital, and engaged
" themselves to pay the remainder. The whole
" sum due from Mr. Wilkes to the Foundling
" Hospital amounted to 990*l.* 1*s.* 3*d.*

" Whilst matters were in this situation, and
" every day growing worse, you were unjustly
" expelled from the house of commons; and
" that expulsion was the cause of the SOCIETY at
" the *London Tavern.*

" Many gentlemen, unconnected with each
" other, had long been wishing for some asso-
" ciation to be set on foot for public purposes,
" and it had been much talked of as a measure
" capable of producing great benefit to the pub-
" lic: the present seemed a proper moment for
" it, and it was proposed by Mr. Townsend in-
" stantly to begin.

" When first I knew that gentleman, he was
" determined (though warm in the public cause)
" never to have any connexion or intercourse
" with Mr. Wilkes, whose character he knew

" too well not to detest. But when the house " of commons rejected the material part of your " petition, and were determined unjustly to ex- " pel you, in order by stripping you of privilege " to leave you a perpetual prisoner in the King's " Bench for *debt*, (since lord Mansfield had not " dared, as he endeavoured, to imprison you for " life, by means of the outlawry,) Mr. Townsend " then consented that I should introduce him " to you; and he spoke to you for the first time " in the committee-room of the house of com- " mons, when they voted your petition to be " *false, groundless, &c.* And Mr. Townsend did " this to let the ministry understand that they " would gain nothing by injustice; but would " so far attach to the cause even those who most " heartily despised the man, as to rescue you " even from the legal consequences of an illegal " persecution.

" You were expelled on the 3d of *February*, " 1769, and rechosen on the 16th of the same " month: your election was declared void on " the 17th, and yourself voted incapable of be- " ing elected into the present parliament.

" The ministry had now every reason to be- " lieve, that, by keeping you out of the house, " they should for ever confine you in a jail: they " knew that a subscription had been opened for

" you on the 19th of March, 1768, when your " debts were said to amount only to 6000*l.*; " and they could not be ignorant, that this sub- " scription produced only 1116*l.* 7*s.* 7*d.* The " amount of your debts was now increased, and " said to be about 14,000*l.* Add to this, that " there were two fines of 1000*l.* to be paid; " and, besides the expenses of *repeated* elec- " tions, support was to be provided for you during " two years in prison. To extricate YOU from such " difficulties seemed impossible, not only to mi- " nistry, but even to those who were most able " and willing to contribute. In this situation " the establishment of a SOCIETY was proposed: " the plan was formed and executed in great " haste: Mr. Sawbridge and Mr. Townsend la- " boured at one end of the town, whilst some " persons were employed at the other, to give " a general notice of the design, and to collect " as many respectable persons as possible, whose " sentiments and wishes were known to be pub- " lic. On the 20th of February, 1769, only " *three days* after the vote of incapacitation, the " first meeting of the society was held at the " London Tavern: a subscription was immedi- " ately made by the gentlemen present, which " amounted to 3023*l.*—A *second* meeting was " held *five days* afterwards, on the 25th of the

" same month, when they assumed the name of " *Supporters of the Bill of Rights.* A very " worthy member of the house of commons " proposed that name as most expressive of the " *public* intentions of the society, which dis- " dained the notion of being merely a club for " Mr. *Wilkes*, of whom the greater part had a " very bad opinion. Still further to avoid any " such imputation, it was at this *second* meeting " resolved, that Mr. *Wilkes's* health should never " be given in that society as a public toast; " and this resolution has been uniformly ob- " served: still further to avoid misapprehension, " the society desired me to draw up an adver- " tisement, which should declare their purposes " to the public.

" At the *third* meeting of the society, " March 7, (only *three weeks* after the *first*), " *three hundred pounds* were given to Mr. " Wilkes, and a committee was appointed with " the treasurers to *inquire into the several de-* " *mands* upon Mr. Wilkes.

" At the *ninth* meeting of the society, June 6, " (only *fifteen* weeks from its first establish- " ment,) it appeared that 4553*l.* had been ex- " pended in the composition of debts, &c. for " Mr. Wilkes; and a further sum of 2500*l.* was " ordered to be issued by the treasurers for the

" further discharge of Mr. Wilkes's debts during " the summer. After which, and a vote of " 300*l.* more to Mr. Wilkes, the society ad- " journed to the 10th of October following.

" Any man, who reads this account, will na- " turally suppose, that Mr. Wilkes must have " felt and expressed the warmest gratitude to a " society like this, which, in so short a time, " had performed such wonders in his favour. " Whoever shall suppose so, will be much mis- " taken: he abhorred the society and its mem- " bers. The DECLARATIONS of the most re- " spectable part, *disclaiming a personal attach- " ment* to Mr. Wilkes, and professing only a " regard to the public, disgusted him extremely; " the RESOLUTION that his health should never " be given as a *public toast* in that society, and " the ADVERTISEMENT of supporting him and " *his cause only as far as it was a public cause*, " were never forgiven. Besides, he entertained " a false notion, that, had not this society been " instituted, he should himself have received all " the *ready money* subscribed by the society into " his own hands; what they applied to the dis- " charge of his debts, he considered as a kind of " robbery; and hated them for their care of " him, as profligate young heirs do the guardians " who endeavour to save them from destruction.

"Add to this an apprehension lest the society "should gain the public confidence; and, not "being his creatures, should hereafter be strong "enough to oppose effectually the extravagant "foolish notions he had formed of his own "greatness; merely to be *protected* does not "answer his expectations; improbable as it may "appear, he *dreams* of nothing less than of "being himself PROTECTOR. He therefore, "from its very institution, determined the de- "struction of the society; because he knew they "meant not only *the king* and *the laws*,—but the "*king according to the laws*. My industry and "zeal for a society capable of so much future "good, as well as the sincerity with which I "always spoke disagreeable truths to Mr. "Wilkes, entitled me to a considerable share "of his resentment. I had not only drawn up "the *offensive advertisement*, but at all times "warmly combated those few of his inconsi- "derate partisans who were constantly endea- "vouring to narrow the society, and convert us "only to a sponge, which would suck up the "generosity of the public, to be squeezed into "his pocket. The lack-laughter *sangfroid* of "the parson was the constant topic of his ridi- "cule, and he complained, that, whenever I ap- "peared, I cast a gloom over the mirth of his

" company. His disposition towards the so-
" ciety was not altered for the better by the fre-
" quent remonstrances I made to him, at the
" repeated request of many of his most generous
" subscribers, who were much dissatisfied at his
" laced liveries and his *French* servants in his
" situation; whom no motives of policy, or
" honesty, or shame, have hitherto made him
" discard.

" To cover the real causes of his dissatisfac-
" tion, Mr. Wilkes pretended to take it much
" amiss that the society should mention his
" DEBTS in their advertisement; as if there was
" any secret in the matter; and he seized the
" first opportunity to complain of it as an *indig-*
" *nity* offered to him; forgetting that he had
" himself long before published a very abject ad-
" vertisement, pretending to return thanks to
" his generous benefactor for the kind donation
" of an hundred pounds; but really to excite
" the compassion of the charitable.

" The society continued to make great pro-
" gress in the affairs of Mr. Wilkes; though, it
" must be confessed, with very little assistance
" from the public at large, out of the society.
" They had paid all his election expenses, and
" one of his fines of 500*l.*; they had compounded
" a very considerable portion of his debts; when,

" on the 24th of October, they voted him 300*l.*
" more, making in the whole 1000*l.* for his
" pocket.

" A few weeks after this vote, Mr. Wilkes ob-
" tained a verdict against lord Halifax, with
" 4000*l.* damages: I waited on Mr. Wilkes, and
" endeavoured to persuade him that he was
" bound in honour, in honesty, and policy, to
" send these 4000*l.* to the London Tavern, in
" aid towards the payment of his debts: I re-
" presented to him the poverty of our bank,
" which had, indeed, advanced too far, and was
" in debt; I endeavoured to make him sensible
" that 4000*l.*, at that time, would go further in
" compounding his debts, than 10,000*l.* would
" some time afterwards: I showed him the re-
" putation he would gain, by this act of com-
" mon honesty and policy, and that he would
" encourage the public to subscribe towards
" him, and bind the gentlemen of the society in
" honour never to quit him till they had at least
" returned him his 4000*l.*, though it was em-
" ployed in the discharge of his own debts. I
" laboured in vain: *ready cash* made Mr. Wilkes
" deaf to my arguments. He would not send a
" penny to the society, for the discharge of *his*
" *own* debts, though it was not many weeks
" since the society had, in one year, voted

" him the last part of a *thousand* pounds for his " support.

" Whilst these things were in agitation, the " society, on the 8th of February, 1770, received " a letter from the Commons House of Assembly " of South Carolina, with a subscription of " 1000*l.*

" In this situation were the affairs of the " society, when you came out of the King's " Bench, on the 17th of April, 1770, only *four-* " *teen months* since its first establishment. Your " election expenses of 2973*l.* were paid;—your " two fines of 1000*l.* were discharged;—12,000*l.* " of your debts were compounded;—you had " a *thousand* pounds from the society, besides " all the private presents you received;—you " reserved to yourself the *four thousand* pounds " recovered from lord Halifax;—and there re- " mained only 6,821*l.* 13*s.* to be compounded of " your debts.

" In my next, I will proceed to show the re- " turn you made to the society and the public " for these obligations; from which may easily " be collected your gratitude to the one, and " your regard for the other.

" JOHN HORNE."

"TO MR. JOHN WILKES.

(LETTER XII.)

"ON the 17th of April, 1770, Mr. Wilkes "was released from the King's Bench prison; "and at the next meeting of the society, April "24, he was proposed to be ballotted for as a "member; and, at the following meeting, May "8, was *unanimously* chosen.

"In my last, I showed what was the situa- "tion of the society's accounts at this time, and "stated both what had been done, and what re- "mained to do; *viz.*

	£.
"Debts of Mr. Wilkes, discharged above	12,000
"To Mr. Wilkes, for his support .	1,000
"To his election expenses . . .	2,973
"To his two fines	1,000

"And by all the lists of claims on Mr. Wilkes "he remained indebted 6,821*l.* 13*s.*

"It is proper I should now mention what was "Mr. Wilkes's *visible* situation. He had an "estate of 700*l.* a year, out of which 200*l.* a "year was payable to Mrs. Wilkes, and an an- "nuity of 150*l.* was due to Mr. Reynolds, he "having purchased the same for 1000*l.*; so that

" there remained to Mr. Wilkes a nominal 350*l.*
" a year. Besides this income, Mr. Wilkes had
" 2000*l.* in ready money; the other 2000*l.* of
" the sum recovered from lord Halifax, were
" said to be paid to Mr. Reynolds, *i. e.* 1,200*l.*
" for Mr. Reynolds's law-charges, &c., and 800*l.*
" to discharge some debts contracted by another
" breach of trust towards the Buckinghamshire
" militia, when Mr. Wilkes was their colonel.
" On this foundation, that is, with a nominal
" 350*l.* a year, and 2000*l.* ready money, but
" with a drawback of 6,821*l.* *declared* debts,
" Mr. Wilkes (whilst he was still in the King's
" Bench, with many detainers lodged against
" him, and before he could tell whether the
" society, notwithstanding all their zeal, would
" be able to compass his enlargement) entered
" into treaty with sir Edward Astley for his
" dwelling-house in Great George Street. The
" terms were easily agreed to, and nothing stood
" in the way but SECURITY; sir Edward desired
" SECURITY. Mr. Wilkes, who 'had as lief he
" had put ratsbane in his month,' and who knew
" that, though I could not laugh at his jest, I
" could sometimes do his business, was desirous
" to turn over to me the employment of pro-
" curing security, such gloomy matters being,
" as he had experienced, perfectly suited to my

" disposition. I was too dull to taste the plea-
" santry of such an arrangement. Mr. Reynolds
" had bought in the annuity of 150*l.* merely to
" give Mr. Wilkes an opportunity to repur-
" chase it; and I thought *one* of his thousands,
" if he would not *lend* them for the discharge
" of his debts, would be more usefully employed
" that way than in furniture: I represented to
" him that, having a thousand pounds, and not
" repurchasing the annuity, he did, in fact, at
" that moment, sell 150*l.* a year for a thousand
" pounds ready money. I bestowed the freest
" terms on the dishonesty, ingratitude, and
" folly, of thus laying a plan to replunge him-
" self in debt, after all the hard struggles
" which had been made to rescue him. I re-
" fused sharply to be instrumental in a measure,
" which must necessarily have one of these two
" consequences; either that Mr. Wilkes must
" soon return to prison a beggar, and so defeat, in
" some measure, all that had been done for him;
" or that all the money which the public spirit
" of individuals could supply, must, to the ex-
" clusion of all public purposes, be confined to
" the support of his private extravagance. The
" former of these consequences would be very
" *detrimental* to the public cause, the latter
" would be *fatal*. I was not singular in my

" opinion on this subject: all the gentlemen to " whom Mr. Wilkes applied, even the future " *chamberlain* and *town-clerk*, refused to be se- " curity. Though Mr. Wilkes was disappointed " of a large house, he was determined not to " lose the opportunity of a large expense. On " quitting the King's Bench prison he took a " house on a lease at *fifty pounds* a year, that " he might lay out some *hundreds* on its repairs: " at the same time he took a country house at " *sixty* guineas for the season; and, to complete " his plan of economy, he sent his daughter " to Paris, to see the *Dauphin's wedding*, whilst " himself was all the summer making the tour " of the *watering places*. That his generous " SUPPORTERS might not be too much ridiculed, " he kept no more than *six* domestics; and that " his politeness and gratitude to his country " might keep pace with his economy, only " *three* of them were *French*.

" Such were the situations of Mr. Wilkes " and of the society when he was released from " prison.

" Those who had hitherto laboured so indefa- " tigably did not remit their diligence. In or- " der to keep the promises of the society, and " do good to the public, it was necessary that " they should at length come to some conclusion of

" Mr. Wilkes's private affairs. They could easily " see, that, if they did not make haste, Mr. " Wilkes would incur fresh debts faster than " they could discharge the old: it was proper " that he should know what he had to expect " from the society; and they could not begin " to procure for him a *reasonable* annuity till " they had first cleared his incumbrances. It " was the wish of all those with whom I ever " conversed to set him free, and afterwards to " procure for him a clear annuity of six hun- " dred pounds. Having done so, to cease sub- " scriptions for the further support of Mr. " Wilkes, unless some new *public* reason should " make it justifiable, and to apply the whole " collected strength of the public to the most " important public measures that should need " pecuniary assistance. Whatever difficul- " ties the *future* private extravagance of Mr. " Wilkes might bring upon him, the society " did not consider as any object of their con- " cern. The public spirit of the nation would " be justified by what they had done for him; " and sufficient encouragement would thereby " be given to all other private men to do their " duty, and a sufficient lesson to kings and " ministers to abstain from violence and injus- " tice. These purposes I did not doubt to see ful-

" filled before the month of March, 1771.
" And I was foolish enough to suppose, that Mr.
" Wilkes would not dare to appear discontented,
" if (after *three* whole years of such success-
" ful labour applied to his private affairs,
" himself freed from his debts, and with clear
" six hundred pounds a year, the society still
" supporting the expense of all public measures)
" we employed our strength at last on other im-
" portant objects of public advantage. With
" these aims, and a corresponding conduct,
" without ever having received the *slightest* fa-
" vour from any party or great man in *admini-*
" *stration* or *opposition*, I could not foresee that,
" by all my labour, hazard, and expense, I
" should gain the contradictory imputation of
" being, at the same time, the hireling of the
" *one*, and the tool of the *other*: and that
" Mr. Wilkes, *the only private gainer in the*
" *struggle*, should, of all men in the world, be
" the person to bring the charge against me.
" Mr. Wilkes, in perfect idleness and security,
" *four times* elected member for Middlesex,
" and *twice* alderman of London, a gainer of
" *thirty thousand* pounds, is the person to im-
" pute to me an interested design! to me, who
" have frequently risked the whole, and ac-
" tually spent a great part of my little fortune

" in the contest, often exposed to a prison, and " sometimes to death! an interested design! " *Sumo superbiam.* I know there is not one " even of his *phalanx* that believes it.

" AFTER the summer recess, the SOCIETY was " to meet again *Nov.* 27, 1770.

" On Monday, October 22, 1770, I received a " note from Mr. Wilkes, to inform me that he " would call the next day to talk with me on " some business of consequence. I was at that " moment going into the country for a week, the " post-chaise was at the door, and my company " waiting: I desired a gentleman who was in " my room to answer the note, and to tell him I " would visit him as soon as I returned. Ac- " cording to my promise, on Sunday, October " 28, I went to Mr. Wilkes, at Fulham. Our " conversation turned chiefly on three things: " ——His brother's pretensions to the *cham-* " *berlainship;* his expectations from the *Lon-* " *don Tavern;* and his intended proceedings at " *Westminster* on the *Wednesday following.* " It was my misfortune to be of a different opi- " nion from Mr. Wilkes on all three: indeed " we seldom did concur in any measure, except " in those which tended to his private advan- " tage; as far as I thought it just and honour- " able to pursue his private interest, I met with

" his hearty concurrence; for he found my en-
" deavours effectual, and he reaped the instant
" benefit. In all *public* measures our opinions
" have been uniformly as different as our aims.
" However, when I look back on what is past, I
" find the voice of the people (which Mr.
" Wilkes calls the *voice of God*) in my favour:
" and, if the public are not to be condemned,
" Mr. Wilkes cannot have been very right, nor
" I very wrong: for, however *new* and *extra-*
" *ordinary* it may seem to those who are unac-
" quainted with the particulars of what has
" passed, it is nevertheless most certain, that
" Mr. Wilkes has strenuously *opposed* almost
" every measure which the public has adopted.
" But, as I mean hereafter to explain the whole
" of his conduct in those matters, I shall confine
" myself at present to what relates to the So-
" ciety at the *London Tavern*. Mr. Wilkes de-
" sired *ready money*. I thought it a shameful
" request: I repeated to him the situation of
" the society, which was in arrears; and showed
" him, that, in order to discharge his remaining
" debts, we must borrow from some of the
" members on the credit of the society. His
" debts being once discharged, I told him, I
" would venture to answer for it, that he would
" have a clear annuity of 600*l.*; that if it

" amounted to 1000*l.* I should be better pleased,
" but would not press the thing beyond 600*l.*;
" that this annuity, with what he had and what
" his relations could do for him, ought to con-
" tent him; but, whether he was contented or
" not, that I should trouble myself on that
" score no further. That we had already dwelt
" too long and exhausted ourselves too much
" on his private affairs, and should deservedly
" meet with the scorn and derision of the pub-
" lic, if we did not proceed to matters of greater
" public importance. Mr. Wilkes still pressed
" for *ready money*, and said it would be doing
" him more kindness to give him the money,
" and trust for the remainder of his debts to the
" *chapter* of *accidents*. He urged to me his
" old argument, which he has often repeated to
" many people, that—'those who do pay make
" amends for those who do not; and that
" tradesmen always charge accordingly.' I re-
" plied, that the same pretence would equally
" justify him for robbing them on the highway,
" or burning their houses down; because no
" doubt their gain in trade, if they are not un-
" done, must supply all their losses. As I con-
" tinued obstinate, Mr. Wilkes grew angry: he
" said, if he was to be treated so, it was plain
" the society had only made a *decoy-duck* of his

" name, and that he was used only as an *instru-*
" *ment*. I grew warm in my turn, I reproached
" him for his unreasonableness, selfishness, and
" ingratitude; I asked him what merit he pre-
" tended to with the public, and what claim he
" had to their support, but as an *instrument* of
" public good; and I assured him I would take
" care he should not be able to cast that re-
" proach on the society; for that as soon as we
" had completed the provision for him I had
" mentioned, I would make a motion to give
" him all the money that should remain over in
" in the banker's hand; and to advertise that,
" for the future, no more subscriptions would be
" received by the society, unless some great pub-
" lic occasion should arise, which exceeded the
" abilities of that society alone to support.

" What passed between us concerning the
" *chamberlainship* and the *Westminster instruc-*
" *tions*, did not tend to restore his good humour
" towards me. He found it in vain to use any
" further endeavours to bend me to his pur-
" poses; and, from that day forwards, has em-
" ployed every means, by *paragraphs* and other-
" wise, to destroy the effect of any opposition I
" might make to his scandalous attempts.

" On the 27*th of November*, the society met;
" and a *committee of accounts* was appointed

" for the 7th of December following. At the " next meeting of the society, December 11, a " report was made from the committee, 'That " there appeared to be 743*l.* 18*s.* 5*d.*, still un- " discharged of the list of Mr. Wilkes's debts " admitted by the society on the 17th of April, " 1770.'

" On the 22d of January, 1771, the society met " again, according to their last adjournment. " Great industry had been used by Mr. Wilkes " to *pack* a majority, many meetings had been " held, and dinners given at the prime mini- " ster's (Mr. *Reynolds)* for the purpose. *Six-* " *teen* members, who had never paid the least " attention to any part of the transactions, and " had scarcely ever attended before, came merely " to vote as Mr. Wilkes should please to direct: " on the other hand, many gentlemen, who dis- " liked the attempts on the society, now stayed " away, disgusted at altercation and the inde- " cent behaviour of some of Mr. Wilkes's " agents; it is not wonderful, for in all large " companies it is found that public wishes are " not so sharp a spur as private interest. The " same conduct which is pursued by the mi- " nister in *packing* a majority in *another assem-* " *bly* naturally produced the same measures at " this meeting. Like the *house of commons*,

"they voted their king *money without an ac-*
'*count*, and an *approbation* of his conduct
"*without an inquiry*. It was by a small ma-
'jority of a meeeting, which consisted of *forty-*
"*seven*, 'Resolved, 1. That *after the debts*
"*due by this society are discharged*, there be
"paid out of the first unapplied monies which
"shall come into the hands of the trea-
"surers of this society the sum of 600*l*. to pay
"Mr. L. Macleane in full satisfaction for all
"debts due from John Wilkes, esq. to the said
"L. Macleane.

"'2. Resolved, That a further subscription be
"now opened for the purpose of discharging
"*all the outstanding debts* of John Wilkes,
"esq., which appear to have been BONA FIDE
"due at the time of the formation of this
"society.

"'3. Resolved, That the public conduct of
"John Wilkes, esq., since his enlargement from
"the King's Bench prison hath been such as
"merits the approbation of this society.

"'4. Resolved, That the public be informed
"that there are SOME old debts of John Wilkes,
"esq., which still remain unpaid, and that their
"further contributions are NECESSARY to dis-
"charge them.'

"It was vain to represent to them, that they

" were imposing upon the public: that the so-
" ciety, when they solicited their subscriptions
" in April, 1770, had published an account of
" what debts of Mr. Wilkes still remained due,
" in order to induce them to subscribe: that
" after this *certain* account given, and after
" *three years* search, they were now talking to
" the public, in *vague and uncertain* expressions,
" of '*All the outstanding debts* BONA FIDE *due*,'
" and of 'SOME old debts of John Wilkes, esq.'
" That the restriction of BONA FIDE was sup-
" posing in Mr. Wilkes the extremity of ingra-
" titude and MALA FIDES: that on the 24th of
" July, 1770, eight gentlemen had lent to the
" society seven hundred pounds, on the follow-
" ing condition—'As the sum wanting to com-
" promise Mr. Wilkes's debts *does not exceed one*
" *thousand* pounds, we, the underwritten, will
" advance to the treasurers of this society, the
" sums annexed to our respective names, on the
" credit of the Society of the Bill of Rights:'
" that they were now violating that condition,
" and making it impossible to believe any ac-
" count the society might hereafter give to the
" public; and that since that loan near *five*
" *thousand* pounds had been discharged for
" Mr. Wilkes: these and all other arguments
" were in vain; they did not want to examine

" accounts, or to consider what was past; they " came to vote for Mr. Wilkes, and the pro- " priety of the measures was left for him to re- " concile.

" Finding all arguments in vain, and knowing " very well by what sort of a majority the ques- " tions had been carried, I was desirous to put " to the test the extravagant zeal and prodigious " personal disinterested friendship which had " been expressed for Mr. Wilkes. I *moved* that " the subscription might *instantly* begin, and " called upon them, at this time of their exces- " sive professions, when so many zealous members " were present together, to show their sincerity " by their subscriptions. My motion was by no " means relished, the gentlemen felt the dif- " ference between *voting* away *other* men's " money and *giving their own.* There was " much struggle to avoid the question; but the " ridicule was too strong even for them; they " were ashamed, immediately after voting the " subscription, to vote against its beginning. " The question, therefore, was carried UNANI- " MOUSLY. The book was instantly opened and " presented to the gentlemen; and, when the " secretary, next morning, came to cast up the " total of the subscriptions, he found it amounted " to the exact sum of £0 0 0

"After this meeting, many of the most re-
"spectable members talked of quitting the so-
"ciety, which they thought much better than
"staying there to wrangle, or to be made a
"mere club for Mr. Wilkes to impose upon the
"public by *general professions*, and to receive
"subscriptions solely for the support of his ex-
"travagance. It would not have been at all
"difficult to have persuaded a large majority to
"attend for *once*, and re-establish the public
"principles on which the society first began;
"but *once*, or many times, would not have suf-
"ficed. Mr. Wilkes is too artful and indus-
"trious in mischief, and the tools he works
"with too stupid and obedient not to have made
"a *perpetual* attendance necessary. Such an
"attendance few men can, and still fewer will
"give, when they have no private purpose to
"answer; especially where they are to be liable
"to the ignorance and brutality of such men as
"Mr. Reynolds, whilst Mr. Wilkes is dexterous
"enough to avail himself of the former quality
"in his agents, to turn the latter upon his oppo-
"nents. Besides, it is always much easier to
"produce confusion than to preserve order; and,
"if Mr. Wilkes could every now and then pro-
"cure a majority to *adopt* and *publish* some im-
"prudent measure, the society would be sure to

"lose their character, and with it their import-
"ance; and we knew, for he had declared long
"before, that he was determined to destroy it.
"Still we were willing to try every measure to
"preserve the society, whose dissolution, as
"to every public purpose, we foresaw with infi-
"nite regret.

"At the *next* meeting, therefore, of the so-
"ciety, on February 12, 1771, one of the mem-
"bers* rose and desired to be indulged with
"some conversation, though he was not going
"to make a motion: he desired only to explain
"his own sentiments and understand theirs: he
"repeated his own *public* motives, and showed
"they were originally the *declared* motives of
"the society: much dispute, he said, had, how-
"ever, been lately held, whether these were ori-
"ginally the avowed intentions of the society,
"or whether it had been instituted merely for
"the support and emolument of Mr. Wilkes, to
"the exclusion of all other public measures;
"he therefore, for his part, waved entirely that
"dispute: he desired only to know what were
"the sentiments the society would declare now,
"and whether they would determine to act for
"the future as a *public* society, giving support
"and effectual assistance to every thing which

* Mr. Horne.

" was importantly useful to the rights of the " nation and mankind, or confine themselves " singly to Mr. Wilkes? He said he did not " mean to make a motion of this, or put it to " the vote: if there were *five*, or even *three* " members of that society present, who would " acknowledge themselves to be confined merely " to the raising of money for Mr. Wilkes, he " would quit the society at once without " troubling them with any reasoning on the " subject.—Several other gentlemen declared " the same sentiments.—This conversation was " entirely unforeseen; Mr. Wilkes himself was " not present; his leading partisans were with- " out instructions on the subject; the profes- " sions were only in *general* of public motives; " and *general* professions are safely made by " the most interested men, who never mean to " come to particulars. Much conversation how- " ever passed of a different tendency, yet no " one member would acknowledge a *private* " principle of action.

" The member who spoke first then rose again, " and said, since he found they were all agreed " in their *general* motives, he would now make " a *particular* motion in consequence; and he " moved—'That an immediate subscription (in " order to raise *five hundred* pounds) be opened

" for *Mr. Bingley,* for having refused to answer " interrogatories, and to submit to the illegal " mode of attachment.' He represented to them " that it was now near *three years* since Mr. " Bingley was first sent to prison; that he had suf- " fered almost as much imprisonment as Mr. " Wilkes, and had hitherto received no reward " for resisting *attachment* and *interrogatories,* " which were much more dangerous and dread- " ful than *general warrants;* that besides, he " was in a station where sentiment and public " principle were not so much to be expected as " in Mr. Wilkes's, and therefore required the " greater encouragement. He said, he did not " desire any gentleman present to subscribe to " this; that he knew the money would be " raised; the only question for them to con- " sider was, whether the society should have the " honour of the gift, or whether it should be " given out of the society, by those gentlemen " who had already determined on the measure " and were desirous to contribute?

" This motion seemed too reasonable to admit " of debate, and yet it met with great opposition " from Mr. Wilkes's friends. It was, however, " carried by a majority; and near half the money " was *instantly* subscribed.

" At the next meeting of the society, Febru-

" ary 26, 1771, Mr. Wilkes attended. He had " collected his forces, and was shameless enough " to cause them to come to the following reso- " lution:

" 'That the first object of this society, in order " to promote the public purposes of its institu- " tion, was to support John Wilkes, esq. against " ministerial oppression, by discharging his " debts and rendering him independent. That " this society having resolved that the public " conduct of John Wilkes, esq. has continued " such as merited their approbation; and not " having as yet fully accomplished their declared " purpose of discharging his debts, NO NEW SUB- " SCRIPTIONS shall for the future be opened in " this society, for ANY OTHER PURPOSE WHATSO- " EVER, until ALL *the debts* of John Wilkes, esq. " which shall appear to have been *bona fide* due " at the time of the formation of this society, " and have already been given in to ANY *committee* " or general meeting thereof, shall be fully dis- " charged or compromised.'

" Before this resolution was passed, every " possible method was tried for an accommo- " dation: it was proposed that every person " might be permitted in that society to subscribe " for whatever good purpose he should adopt: " it was shown plainly, that, by this vote, they

" would exclude from the society every one " who wished to do public good, and who yet " might not choose to subscribe to Mr. Wilkes, " or, having given something, might not con- " sent to subscribe any more. Mr. Wilkes " would listen to no terms; he was now sure " to accomplish his wishes, and saw, that from " this day, the society would either exist no " longer, or would exist for him only.

" JOHN HORNE."

" TO THE REV. MR. HORNE.

" *Prince's Court, Thursday, June* 20.

" SIR,

" I NOW proceed to examine your *twelfth* " letter, and, according to the notice I gave " you, to close a correspondence which the " public have long ago called upon me to con- " clude. I shall, therefore, necessarily, in taking " leave of you, consider a few other particulars, " which, from hurry or inadvertency, I have " omitted.

" The account you have published of the so- " ciety, called the *Supporters of the Bill of* " *Rights*, and their proceedings, is equally pro- " lix and fallacious. In the state of the pecu- " niary transactions of the society, you give

"so perplexed a detail of my affairs, that "I am totally at a loss to comprehend your "accounts. You pretended, in a former letter, "that at the institution of that society I was "scarcely thought of, and you endeavoured to "prove that paradox by a single advertisement "after the *second* meeting, omitting all the re- "solutions of the *first* at the very formation "of the society, which I have already quoted. "Will you, sir, allow the society themselves "to determine what their own intentions were? "Feb. 26, 1771, it was resolved, 'That the "*first* object of this society, in order to pro- "mote the purposes of its intentions, was to "support *John Wilkes, esq.* against ministe- "rial oppression, by discharging his debts and "rendering him independent.' In your ac- "count of Mr. Wilkes's debts, you studiously "omit a remarkable part of an advertisement "repeatedly published by the *Society of the Bill "of Rights* in all the papers. '*N. B.* 7149*l.* 6*s.* "of Mr. Wilkes's debts appear to have been "incurred by his having been security for "other persons.' Did you fear that this "might be brought to confute your charge of "his indifference for the interest of his "friends, when it appears that he subjected "himself to the payment of so large a sum

" on their account? You will please to recol-
" lect, that, by an early resolution of the society,
" on May 9, 1769, printed in the papers, ' All
" *committees* of the society are to meet on
" every first and third Tuesday in the month,
" at the London Tavern, at one in the after-
" noon,' and that the *committee of accounts*, by the
" advertisement of Nov. 20, 1770, ' was always
" open to all members of the society.' If,
" therefore, you suspected the least fraud
" from any quarter, it was your duty to have
" attended to detect it. Although you have
" *deserted* the society, it is still incumbent on
" you to acquaint them of any fraud or col-
" lusion you have discovered. I call upon you
" to write a letter, stating the particulars, to
" the chairman of the next meeting, and to
" give your proofs of the smallest intended
" imposition of any kind, or you will pass for
" an infamous calumniator of your *benefactor*,
" Mr. Reynolds, and other men of honour,
" whom you have wickedly traduced. When
" you mention that ' The other 2,000*l.* of the
" sum recovered from lord Halifax were said to
" be paid to Mr. Reynolds, *i. e.* 1,200*l.* for
" Mr. Reynolds's law-charges, &c., and 800*l.* to
" discharge some debts contracted by another
" breach of trust towards the Buckinghamshire

" militia, when Mr. Wilkes was their colonel;' " you well know that you are deceiving the " public, for I have frequently told you I paid " Mr. Reynolds 2000*l.* *on account* for law-charges " and debt, which he paid for me. The *breach* " *of trust* you talk of, is among your many " barefaced falshoods, which will *cover you with* " *infamy.* Your characteristic is the evil spirit " of lying.

" Sir Edward Astley, when I was abroad, " had purchased the lease of my house in " Great George Street. When he removed to " Downing Street, he mentioned his intention to " dispose of the remainder of that lease. I was " then in the King's Bench prison. Many of " my friends wished me again in my *old house.* " It was talked of with sir Edward, but no- " thing concluded, nor did I ever ask any man " to be my *security* on the occasion. You de- " clare, ' All the gentlemen to whom Mr. Wilkes " applied, even the future *chamberlain* and *town-* " *clerk* refused to be *security.*' I never applied " to any one person, on this occasion, to be " my *security.* Name the man. The conver- " sation you have given, as what passed between " us, is an absolute fiction of your own fertile " brain.

" I had no dispute with the *treasurers of the*

" *Bill of Rights* about the generous benefaction " from *Newcastle*.

" You say, ' He took a country house at " *sixty* guineas *for the season;* and, to complete " his plan of *economy*, he sent his daughter to " Paris to see the *Dauphin's wedding*, whilst " himself was *all the summer* making the tour of " the *watering places*.' I rented a ready- " furnished house at *sixty* guineas *for the year*, " while my small house here was repairing. " When it was completed, I let the house at " Fulham for the remainder of the year. You " assert, ' On quitting the King's Bench prison, " he took a house on a lease at *fifty pounds* a " year.' Is it not possible, sir, for you once to " tell the *whole* truth? The rent is *fifty guineas* " a year. My daughter went to Paris at the " time of the *Dauphin's wedding*, on the invita- " tion of a lady of fashion to her own house. I " met her at Dover on her return from France, " and, during the month of August, we made " a tour together. When you say, that I was " ' *all the summer* making the tour of the wa- " tering places,' it is a malicious falshood you " designedly utter, for I was only absent while " the Dog star raged, when there is a vacation " from all city business. You mean to insi- " nuate a total want of *economy*. I know *the*

" *sin that most easily besets me,* and I know, too, " where you and the ministry expect to surprise " me. You will both be disappointed. My " friends have with pleasure remarked my re- " formation.

" As to the letter from Montpelier, you de- " clare, in your *second* letter to me, *before its* " *publication,* ' *Publish* it, however, when you " will; *I am confident,* as indeed I have likewise " been assured by many to whom you have " shown it, *that there is nothing in the letter of* " *which I need to be ashamed.*' You kept a copy, " as you have acknowledged, of this very letter. " Will you indulge us with the names of some " of the *many,* who approve so singular a per- " formance? We shall then know *of whom we* " *ought to be ashamed.* Will you reconcile the " above passage with what you say in your *sixth* " letter, ' It was a mean villany, almost equal " to the treacherous publication of a *private,* " *friendly, confidential letter;*' and, ' Wilkes, " with the education of a gentleman, has ex- " ceeded in meanness and want of sentiment his " servant *Curry,*' *who robbed his master, and* " *then sold the goods to ruin him?* Your repeated " treacheries forced the publication of your " letter. On what provocation was Mr. Hea- " ton Wilkes's *private, friendly, confidential*

" letter to Mr. George Bellas given by him to " you, and by you published?

" You have frequently accused me of neglect- " ing the *worthy freeholders of Middlesex,* to " whom I am under the most peculiar obliga- " tions, although you know I have not omitted " any mark of regard or gratitude to them. I " have the happiness of living among them, and " am continually paying my personal respects " where they are so greatly due.

" All these attempts to embroil me with the " freeholders of Middlesex, the supporters of the " Bill of Rights, the livery of London, the Ame- " ricans, &c., you will find ineffectual. My " public conduct shall always be clear and unex- " ceptionable. As to the connexions in private " life, I will endeavour *mortales inimicitias, sem- " piternas amicitias habere,* preserving still my " strong, natural, irreconcilable hatred to all " of the *serpent* and *viper* kind.

" Am I to answer your impertinence about " claret and French servants? It shall be in one " word. I have not purchased a bottle of claret " since I left the King's Bench. Only two " French servants are in my family. An old " woman, who has many years attended my " daughter, and a footman, whom I esteem, as " I have often told you, not as a Frenchman,

" but for his *singular fidelity* to an Englishman " during a course of several years, when I had " the honour of being exiled. I have reason " to believe, that from hence originated your " hatred to him.

" As to the Rockingham administration, my " regard to them arises solely from their ser- " vices to this country and the colonies, not " from any personal favours. I do not owe a " *pardon* to them, although I warmly solicited " it during the whole time of their power. *Soon* " *after they came into employment*, I wished to " have gone in a public character to Constanti- " nople; but I very soon dropped that idea. I " never did receive from them either *pension*, " *gratuity*, or *reward*. When I said *precarious*, " I used the word as synonymous with *depen-* " *dent*. That upright administration was re- " moved in July, 1766. My declaration, 'never " to accept from the crown either place, pen- " sion, gratuity, or emolument of any kind,' " was not made to my most meritorious con- " stituents, the freeholders of Middlesex, till " June 18, 1768. I then pledged myself to " them, and added, that 'I would live and die " in their service, a private gentleman, perfectly " free, under no control but the laws, under no " influence but theirs,' &c.

"Whether you proceed, sir, to a *thirteenth*, "or a *thirtieth*, letter, is to me a matter of the "most entire indifference. You will no longer "have me your correspondent. All the efforts "of your malice and rancour cannot give me a "moment's disquietude. They will only tor- "ment your own breast. I am wholly indif- "ferent about your sentiments of me, happy in "the favourable opinion of many valuable "friends, in the most honourable connexions, "both public and private, and in the prospect "of rendering myself eminently useful to my "country. Formerly, in exile, when I was *urbe* "*patriaque extorris*, and torn from every sa- "cred tie of friendship, I have moistened my "bread with my tears. The rest of my life I "hope to enjoy my morsel at home in peace "and cheerfulness, among those I love and "honour; far from the malignant eye of the "false friend and the insidious hypocrite.

"I am, sir,

"Your humble servant,

"JOHN WILKES."

" TO MR. JOHN WILKES.

(LETTER XIII.)

" GIVE you joy, sir. The parson of Brent-
" ford is at length defeated *. He no longer
" rules with an absolute sway over the city of
" London. You have detected his jesuitical
" deep-laid schemes of running away with the
" monument on his back. You have rescued
" the prostrate livery from his dictatorial au-
" thority; have congratulated them on their
" victory; and restored to them a perfect li-
" berty—of doing whatever *you* please. The
" poor parson has been buffeted on the hustings
" where he did not appear, and hissed out of
" playhouses which he never entered; he has
" been sung down in the streets, and exalted to
" a conspicuous corner with the pope and the de-
" vil in the print shops; and, finally, to com-
" plete the triumph over this mighty adversary,
" you have caused him to be burnt in effigy.

* This alludes to the city elections, which turned out, in exact conformity to the wishes, and the interest of Mr. Wilkes.

" After all this outcry, no doubt, you imagine

——————— " there is
" No poet acquainted with more shakings and quakings
" Towards the latter end of his new play
" (When he's in that case, that he stands peeping 'twixt
" Curtains so fearfully, that a bottle of ale
" Cannot be open'd but he thinks somebody hisses)
" Than I am at this instant.

" Formerly, these arts used to be practised " against a minister of state, or at least against " some person whose wealth and power might " afford a pretence for suspicion of undue in- " fluence; but if so insignificant a name as mine " can, by paragraphs, &c., be made important " enough to scare them with apprehensions for " their independence, you will never want a " bugbear for the livery. You are heartily wel- " come to the use you have made of it, and I " shall freely forgive you a repetition of the same " indignities, as long as you confine them to the " newspapers and effigy: but, alas! all the " honours and preferments you have heaped " upon me have likewise been only in effigy: " his grace of Grafton invites me to no con- " ference; lord North admits me to no levee; " the Exchequer withholds my pension; and " the bishop of Durham will not let me touch " one farthing of my quarterage. So that I

" have nothing left to console me but the " support of the Shelburne faction, the re- " covery of my old clothes, the subscriptions " I have pocketed, and sir Joseph's three bank- " notes.

" When first I began my public correspond- " ence with you, I engaged to give an account " of the *commencement, progress,* and *conclu- " sion* of the intercourse between us; because, " from the circumstances of the relation, honest " men of any tolerable discernment will be able " to form a judgment how far they ought, and how " far they ought not, to support you. You en- " gaged, on your part, to give a *full answer* to " every charge I should bring. *I mean to keep " my promise;* and, though I thought it proper " to forbear the prosecution of it during the " city election, I shall now proceed: the deep " researches, laborious study, and prodigious " science necessary to qualify you for the office " of sheriff, will excuse you from giving any " answer; and leave you at liberty to lye " anonymously in the newspapers without de- " tection.

" When the motion was made at the London " Tavern of 'NO NEW SUBSCRIPTIONS for the " future for ANY OTHER PURPOSE WHATSOEVER, " until ALL the debts of John Wilkes, esq. should

" be fully discharged,' after a pause of some mi-
" nutes Mr. Horne rose, and said he had waited
" in momentary expectation, that Mr. Wilkes
" would have taken the opportunity to entreat
" his friend to withdraw a motion so fatal to the
" reputation both of Mr. Wilkes and the society:
" he expressed his amazement that Mr. Wilkes
" could silently hear a measure proposed, which
" could produce nothing but disgrace to both;
" but he said it was impossible Mr. Wilkes could
" continue silent upon the subject, unless he
" was willing it should be understood, that this
" attempt to impose upon the public and the so-
" ciety proceeded from himself. Mr. Horne added,
" that, since the subscription for Mr. Bingley
" had very much offended Mr. Wilkes, and was
" the avowed reason of this motion to prevent
" any 'new subscriptions for the future for any
" other purpose whatsoever,' he would endea-
" vour to satisfy them of the propriety of that
" subscription, and the impropriety of the pre-
" sent motion. Mr. Bingley had above a year
" before repeatedly sent petitions to the society,
" which Mr. ———— * had as often deferred,
" in expectation of finishing Mr. Wilkes's af-
" fairs, and from a desire that nothing might

* Mr. Reynolds.

" interfere to prevent it; but when it was evi-
" dent that a party was formed to avoid coming
" to any conclusion, even after THREE years' at-
" tention to that single object, it would have
" been cruel to the poor man to have deferred
" any longer the generous intentions of several
" gentlemen towards him. But there was a
" much stronger reason than private compassion
" against any further delay; *the freedom of the*
" *press* was materially concerned in moving the
" subscription for Bingley at the last meeting.
" Mr. Horne said, he was sorry to be forced to
" mention transactions which ought to be kept
" secret, and to explain motives which ought to
" be understood but not expressed in large com-
" panies; however, that rather than see his in-
" tentions of public good defeated by this *re-*
" *strictive resolution*, he would tell them his
" chief motive for moving the subscription at the
" last meeting. Mr. Horne observed, that he had
" some small time since received information
" from an authority which he could not doubt,
" that a certain great personage had conversed
" with the *elder Onslow* at St. James's near half
" an hour; that in that conversation it was men-
" tioned to Mr. Onslow as matter of surprise,
" that the house of commons permitted their
" debates to be published; and it was asked, if it

" was ever suffered before, and why something " was not done to prevent it? This question " from such a person was well understood to be " an order; and after the repeated failures of " lord Mansfield in the courts of law, both by " *information* and *attachment*, it was easy to " see whither they would next have recourse to " destroy the freedom of the press. It was " plain Mr. Onslow understood it; for soon " after, on the *fifth* of *February*, his relation, " the *younger Onslow*, made a motion in the " house of commons, that an order of that " house against printing any part of the debates " should be read and entered amongst the mi- " nutes of that day. Mr. Horne said, this was " a confirmation to him of his intelligence, and " increased his suspicions of what was to " follow; he had therefore himself *purposely* " caused to be inserted in the Middlesex Journal " of *February* 7, an innocent paragraph about " Mr. Onslow's motion; expecting that *the* " *Onslows* would bring it before the house; " which happened as it was foreseen; for the " printers, *Wheble*, who first inserted, and " *Thompson*, who copied that paragraph, were " ordered to attend the house of commons. In " this interval the society met, (on the 12th of " February,) before the order of attendance to

" the printers was expired; and Mr. Horne " chose that particular moment to move the sub- " scription for Bingley, on purpose to encourage " the printers, (whom it was necessary to use on " this occasion against the usurped power of the " house,) and to show them, by this example, " that they too would be effectually supported, " and rewarded for resisting an illegal and scan- " dalous attempt upon the freedom of the press. " Mr. Horne declared, that this subscription for " Bingley did instantly produce the desired effect, " and *both* the printers refused to obey; and there " was no doubt, (the law being clear in the " case, that a power of *punishment* cannot be- " long to the house of commons,) that other " printers would likewise depend upon the laws " of their country and the support of that society, " and refuse obedience to any similar usurpation " of the house over them. But, said Mr. Horne, " should you now, gentlemen, come to a resolu- " of NO NEW SUBSCRIPTIONS ' for the future for " ANY OTHER PURPOSE WHATSOEVER until ALL " Mr. Wilkes's debts shall be fully discharged,' " you will undo all that has been done; the " *public* good effect of Bingley's subscription " will be lost; the printers will despair of sup- " port; and you cannot expect that they should " be able alone and unsupported to oppose, how-

" ever legally, the powers of government, which " are now united against the rights of the peo- " ple; even if they should, the contest would " be too unequal, the printers would be undone, " and the press ruined. He therefore entreated " them to lay aside all little, factious, private " views, and forbear a resolution which would " certainly be productive of such bad conse- " quences to the public, and such dishonour " to the society.

" He concluded with addressing himself " again to Mr. Wilkes; he called upon his " *policy*, his *public spirit*, his *gratitude*, his *mo-* " *desty;* all which should strongly persuade " him to show his disapprobation of a motion " which was to restrain gentlemen, who had " done so much for him, from putting their " hands in their pockets to relieve any other ob- " ject of compassion, or to promote any pub- " lic measure.

" To all these arguments, Mr. Wilkes was " absolutely dumb; no sense of shame could " force a single word from him; and the re- " solution of no *new subscriptions for the* " *future but for Mr. Wilkes*, was carried, him- " self being present, by the same gentlemen " who had before voted against Bingley's sub- " scription, and some other personal friends

" of Mr. Wilkes, who had been brought thither " for the purpose, amongst whom were his *two* " *brothers*, his *attorney*, &c.

" JOHN HORNE."

" July 10."

This literary contest, as has been already hinted, rendered Mr. Horne one of the most odious men in the kingdom. Respecting the justice of the dispute, there can be little hesitation; but, in regard to its impolicy, no doubt whatever can be now entertained. It is but candid to confess, that Mr. Horne did not succeed in his attempt to expose Mr. Wilkes to the multitude, for he became more popular than ever, and that, too, in consequence of the opposition to his career.

That gentleman, indeed, although his talents and learning were far inferior, yet, by means of superior skill, and a more intimate knowledge of mankind, appears, on the whole, to have foiled his adversary. By stoutly denying some, and artfully parrying other charges against his character, he continued to confuse and perplex the whole business; and although Mr. Horne had most, if not all the respectable men on his side, yet the public at large, which is seldom capable of entering into a minute

and laborious investigation, after being some time bewildered in the maze of a prolonged periodical correspondence, at length declared, fully and unequivocally, in behalf of Mr. Wilkes. On the whole, it may be questioned whether this contention did not rather tend to hurt than to serve the public cause; while their common enemies rejoiced at a quarrel, which, by dividing, weakened their party, and, for a time at least, subjected both of the champions to the animadversions, and even to the ridicule of the public.

CHAPTER VII.

1771.

Mr. Horne takes a Degree at Cambridge—on his return, he advocates the Cause of the Printers.—Result.

BUT notwithstanding the frequent public contests of the subject of these memoirs had engrossed much of his time, and nearly ruined his fortune, they did not render him unmindful of academical honours. He accordingly repaired to Cambridge, in 1771, and became a candidate for the degree of master of arts.

On this, as on all similar occasions, his political creed proved highly injurious to his pretensions; for Mr. Paley opposed the very moderate claims, now urged, in consequence of his disapprobation of some violent passages in the recent correspondence with Mr. Wilkes.—This gentleman, afterwards so eminent in the lite-

rary world, was supported by Mr. Hubbard, of Emanuel College; but, on the other hand, the doctors Beadon and Jebb, both men of considerable influence, stoutly contended, that Mr. Horne, while resident at St. John's College, had conducted himself with great propriety, and was distinguished alike by the ardour of his genius and the purity of his morals. He was accordingly admitted master of arts, notwithstanding Mr. Bromley, afterwards lord Mumford, had joined the two former in their dissent.

It was thus that he was obliged to fight every inch of his way through the whole course of a long and busy life, which, indeed, had become almost one continual series of agitation and inquietude. But, on the other hand, it must be allowed, that he acquired an accession of strength by constantly contending against the stream. Continual opposition sharpened his wit and talents, gave him at once a taste for, and an ascendancy in business; nay, if we are to believe some, his disappointments were at length rendered so frequent, as never to be unexpected, and not always displeasing.

In the spring of the same year, Mr. Horne was enabled to complete a project already alluded to, which he had for some time formed, and always contemplated, as intimately connect-

ed with the safety of the constitution, and the liberty of the press. Of all modern inventions, that of Printing confers the greatest honour on human ingenuity; and had either Guttemburgh or Faustus been natives of ancient Greece, her cities might have once more contended, as in the case of Homer, for the honour of producing these eminent benefactors of mankind. One of the chief efforts of this art, perhaps, consists of a newspaper, composed, printed, and circulated with such celerity, that a complete historical register of all the occurrences of one day is regularly exhibited on the breakfast-table of the succeeding one.

These periodical productions seem to have originated with modern liberty and commerce, on the shores of the Mediterranean, and to have been introduced into this part of Europe in consequence of the desultory inroads of the French into Italy. All the neighbouring states appear to have been enlightened, and every government occasionally alarmed, by such a novel species of communication. As much, however, depends on the genius of the nation and the character of the reigning prince, the indiscriminate publication of a loose sheet, under the house of Tudor, would have been considered as something approaching to *treason* — for that

was the term then affixed to every thing obnoxious. During the reign of Henry VII, it might have occasionally interfered with his right to the crown; in that of Henry VIII, with his disputes with the pope; while, in the times of Mary and Elizabeth, both of whom had been declared bastards by act of parliament, not only the legitimacy of their own birth, but the alternate preponderance of the Catholic and Protestant religions, might have been deeply affected by the periodical press.

The accession of the house of Stewart presented a new and a memorable epoch. The succession to the throne was incontestible; while the church of England was decidedly predominant. The people, too, had become opulent and intelligent; and knowledge of all kinds was cultivated and diffused with equal assiduity and success. It was precisely at this period that newspapers began to be circulated; in the succeeding reign their ascendancy was indeed felt, but it was not until the Revolution, that they may be said to have taught the people both to think and to act rationally. The first paper, perhaps, printed in England, made its appearance in 1588: the disputes between Charles I and the commons, produced the "Diurnal Occurrences of Parliament," the "Mercuries," and

a variety of similar works, which were usually published twice a week. In 1696, no fewer than nine weekly newspapers made their appearance; and the "Orange Intelligencer," so called out of compliment to king William, is supposed to have been the first daily paper circulated subsequently to his election to the throne. The men of letters, who at once adorned and enlightened the Augustan age of queen Anne, diffused a taste for learning of all kinds; and, during the subsequent disputes, relative to the claims of the Stuart race, the house of Brunswick undoubtedly derived great and memorable advantages from a free press. It was not, however, until the time of the second George, that periodical works began to produce a decisive effect on domestic politics, when the "Drapier's Letters," written by Swift, liberated Ireland from the imposition of patent money, then frequently denominated her "copper chains;" while lord Bolingbroke, Caleb D'Anvers, and a few eminent writers, by means of the "Craftsman," gave a mortal stab to the administration of sir Robert Walpole, and prevented the completion of a general excise.

But it was not until the commencement of the present reign, that the ephemeral species of composition, now alluded to, became a general,

speedy, and popular mode of communication. The power and influence of this important branch of a free press was then conspicuous to all; for the question of general warrants, the various prosecutions directed against Mr. Wilkes, and the grand contest relative to the Middlesex election, tended not a little to raise the importance of a newspaper, and soon rendered it a most formidable weapon, when wielded by skilful hands. At that period, however, there were not, as now, near a dozen of morning prints, which settle the political faith of the day, and teach their readers how to walk, both safe and steady, by means of "paper leading strings." The Public Advertiser, because it was supposed to be perused daily at court, constituted the arena in which the literary combatants, usually encountered each other, under the immediate eye of majesty; and the correspondence of such men as sir William Draper, Junius, Wilkes, Churchill, Lloyd, and Horne, tended not a little to confer celebrity on this species of composition.

One grand feature of our modern periodical press, was, however, still wanting. This was the publication of the debates in parliament, in an authentic form, and with the names of the respective speakers annexed. That, indeed, had

been frequently attempted, but under a variety of great and obvious disadvantages: for, to ensure the safety of the editors, the parliament of Great Britain was supposed to be an ancient senate, and the great men of that day were designated by the Roman names of Brutus, Cassius, Cicero, Crassus, &c. Mr. Guthrie, a laborious, rather than an able writer, together with Dr. Samuel Johnson, a name scarcely second to any in English literature, endeavoured to improve on this plan. Accordingly, in 1740, the latter began to communicate the debates in the "senate of Lilliput," by means of the Gentleman's Magazine; but his materials were scanty; and, being seldom present himself, he trusted to the memory of others, who sometimes brought him the leading points of the discussion, together with the substance of the speeches of the most eminent statesmen of that day. Fearful of bringing down parliamentary vengeance on his own head, and that of the publisher, he seldom or never assigned an oration to any particular individual, but contented himself with giving a catalogue of names at the end of the debate, arranged so as to discover those who advocated either side of the question. An accurate account of the divisions, the numbers of those who voted, the lists of proxies, and the copies of the

protests in the house of lords, now communicated with such extraordinary accuracy, were seldom, if ever, attempted at that period.

When materials were wanting, the doctor himself acknowledges that he was accustomed to supply the deficiency from the store-house of his own imagination; and as he became "first regular, and then pious," towards the latter end of his life, this political fraud occasioned a great deal of uneasiness; for, as he ingenuously confessed, he was accustomed to incline the balance of argument, so as to lean in favour of the *tory party*, which he himself constantly espoused.

In the progress of time, however, greater liberties appear to have been taken with the privileges of the *house of commons* at least; for, at the commencement of the present reign, it was not unusual to publish the speeches of its members occasionally; but the same precaution was then used, as with the lists of bankrupts of that day, it being customary to give only the initial and final letters of the name, with a —— between.

At length, on the struggle that took place, relative to the Middlesex election, which soon swelled into such importance as to assume the air of a national contest, the curiosity of the public was first gratified by a series of regular

debates; doubtless inferior, both in point of length and accuracy, to those of the present day, although, at that period, they were considered to be a wonderful effort of human ingenuity. Nor ought it to be here omitted, that all such publications were expressly prohibited by a standing order of the house of commons; and, although this was sometimes infringed with impunity, far greater delicacy continued to be observed, in respect to another branch of the legislature; where the occasional presence of the king; the constant view of the throne; the full dresses of the lords of parliament, who then made their appearance in rolled stockings, swords, and tie-wigs; together with the menacing attitude of the usher of the black rod; seemed but too well calculated to deter from a practice, which has since obtained, with so much advantage to the public, and so little detriment to the honour and dignity of either house.

Such appears to have been the exact state of the periodical press, when the publication of the controversy relative to Mr. Wilkes, by exciting general resentment against, gave umbrage to the ministers; and produced an important event, some of the particulars of which, I am now enabled to detail, in an authentic manner, by

means of a note, penned soon after a conversation with the subject of the present memoirs.

The venerable Mr. Onslow, who had for many years filled the speaker's chair, and was still alive, being consulted on this subject, declared the publication of the debates, "to be a modern practice, completely unprecedented, and in direct violation of the privileges of the house of commons." Wholly unmindful of the growing wealth, as well as the increasing knowledge and curiosity of the people, he considered this to be an express inroad on the constitution itself, that had never been heard of in his better days; and, as he was a great stickler for order, decorum, and all that official regularity, which he had been so long accustomed to, he gave it as his decided opinion, that this flagrant infringement of the orders of the house ought instantly to draw down the vengeance of the commons of England. Accordingly, in the course of a week, his own nephew, the knight of the shire for the county of Surrey, moved a series of resolutions *,

* Resolved, "That it is an indignity to, and a breach of, the privileges of this house, for any person to presume to give, in written or printed newspapers, any accounts, or minutes of the debates, or other proceedings of the house, or of any committee thereof;

"That, upon discovery of the authors, printers, or

declaratory of these principles, which were unanimously assented to.

This instantly operated as an electric shock, not only to the members of the opposition, who did not like to oppugn regulations, which were merely an echo of former orders, but also to all such as had asserted the freedom of election and the cause of Mr. Wilkes: at this period, a numerous, turbulent, and powerful body.

While some were alarmed and others appalled, Mr. Horne, as usual, was roused into energy and action. He thought, that the publicity of the debates operated as a powerful and salutary check on persons and parties; and he was also of opinion, that the people at large

publishers, of any such written or printed newspapers, the house will proceed against the offenders with the utmost severity."

The following resolution of the house of commons was then, and still continues, on their journals:

"*April*, 13, 1738, vol. xxiii, p. 148.

Resolved, "That it is an high indignity to, and a notorious violation of, the privileges of this house, for any newswriter, in letters, or other papers, (as *minutes*, or under any other denomination,) or for any printer or publisher of any printed newspaper, of any denomination, to presume to insert in said letters or papers, or to give therein, any account of the *debates*, or other proceedings of this house, or any committees thereof, as well during the recess, as the sitting of parliament; and that this house will proceed with the utmost severity against such offenders."

had a right to be acquainted with the conduct and opinions of their representatives. In addition to this, he conceived that a fair opportunity was now afforded, not only of vindicating, but extending the liberty of the press; and took his measures accordingly for this purpose.

Having consulted with the heads of the Shelburne and Rockingham parties, then out of place, he readily obtained the promise of assistance and support. On this, he searched for, and discovered a printer, resolute enough to act in defiance of the late resolutions of one house of parliament, and determined, by his means, to carry his plan into immediate execution. But the opposition, after more mature deliberation, retracted, being afraid of a defeat on the one hand, and alarmed, perhaps, on the other, at the introduction of an engine, which might hereafter prove dangerous to themselves when ministers.

Not in the least dismayed by this desertion, which was officially communicated by colonel Barre and Mr. Townsend, the author of the project determined to persevere. Accordingly, confiding solely to the intrepidity of some of the city magistrates, whom he had sounded on the occasion, Mr. Horne prevailed on the proprietors of the two newspapers, called the

" Gazetteer," and the " Middlesex Journal," to violate the resolutions of the house, at the beginning of the year 1771, by giving the debates as usual.

On this, as had been foreseen, the commons, in support of their own dignity, commenced a series of proceedings, which shall be here given, in an authentic form, from their own journals.

" February 8, 1771.—Complaint being made to the house, of the printed newspaper, intituled, ' The Gazetteer and New Daily Advertiser,' Friday, Feb. 8, 1771, printed for R. Thompson, and also of the printed newspaper, intituled, ' The Middlesex Journal, or Chronicle of Liberty,' from Tuesday, February 5, to Thursday, February 7, 1771, printed for J. Wheble, as misrepresenting the speeches, and reflecting on several of the members of this house, in contempt of the order, and in breach of the privilege of this house :

" Ordered, That the said R. Thompson do attend this house upon Monday morning next ;

" Ordered, That the said J. Wheble do attend this house upon Monday morning next."

As the printers did not obey this summons, a second was issued on the 11th of February, a third on the 14th, and a fourth on the 21st; it being at the same time resolved, " That

the service of the said order, by leaving a copy of the same at the usual place of abode of the above-named printers, be deemed equal to personal service, and be good service." As they still proved contumacious, the messenger was called in, and, on his examination, reported, that being informed repeatedly by their servants they were not at home, he had showed the original orders for the attendance of their respective masters, and left copies of the same with them. On this, it was resolved, "That the said John Wheble and R. Thompson be, for this contempt, in not obeying the orders of this house, for their attendance on the house this day, taken into custody of the serjeant at arms, or his deputy, attending this house."

On the 4th of March, the deputy serjeant at arms being called in to give an account of the service of the orders of the house of Tuesday last, stated, that, although he had been several times at the respective places of abode of John Wheble and R. Thompson, and had made diligent search after them, in order to take them into custody, he had not been able to meet with either of them. On this, it was

"Resolved, That an humble address be presented to his majesty, that he will be graciously

pleased to issue his royal proclamation for apprehending J. Wheble and R. Thompson, with a promise of reward for the same." And on the 7th, Mr. Onslow reported, that their address of Monday last had been presented to his majesty, and that his majesty had been graciously pleased to give directions accordingly.

This proceeding, as had been anticipated, occasioned many severe animadversions, it being clamorously maintained, on the one hand, that the constituents possess the right of being fully informed of the conduct of their representatives in parliament; while, on the other, it was asked, whether the privileges of the commons extended so far as to trench on the personal freedom of such of the subjects at large as did not appertain to their house, or come under their immediate jurisdiction? Even some of those attached to the ministry blamed their conduct upon this occasion; Mr. Moreton, chief justice of Chester, and attorney-general to the queen, having loudly protested against it; while lord Mansfield is said to have doubted of its validity.

Meanwhile, it was not only deemed illegal by Mr. Horne, but he found means to convince others that these measures ought not to be carried into execution. Having applied to the

city magistrates to protect the printers, who resided within their jurisdiction, the aldermen Sawbridge and Townsend, both members of the house, declined their intervention. Even Mr. Wilkes himself was at first appalled at the idea of opposing the resolutions of the commons, aided by the proclamation of the crown; and would not promise his support. No sooner, however, did he learn that Brass Crosby, then lord mayor, and Mr. alderman Oliver, had solemnly engaged, to the vicar of Brentford, to vindicate the liberty of the press, than he volunteered his services, and acted throughout with equal spirit and ability.

In the course of a few days, a person was procured to arrest Mr. Wheble, in compliance with the royal proclamation, and the proceedings, on this occasion, are here detailed from the rota-book of the corporation.

"*Guildhall, March* 15, 1771.

"John Wheble, the publisher of the 'Middlesex Journal,' was this day brought before Mr. alderman Wilkes, at Guildhall, by Edward Twine Carpenter, a printer, being apprehended by him in consequence of a proclamation in the London Gazette of Saturday, the 9th of March instant: but the said E. Twine Car-

penter not having any other reason for apprehending the said Mr. Wheble, than what appeared in that proclamation, the said Mr. Wheble was discharged; and then the said Mr. Wheble charged Carpenter for assaulting and unlawfully imprisoning him; and on his making oath of the offence, and entering into a recognizance to prosecute Carpenter, at the next sessions in London, Carpenter was ordered to find sureties to answer for this offence, which he did, himself being bound in forty pounds, and his two sureties in twenty pounds each, and was thereupon discharged."

As Carpenter requested a certificate of his having apprehended Mr. Wheble, the same was immediately granted by the same magistrate; but, on application to the treasury, for the reward of fifty pounds, a direct negative was immediately given. Mr. R. Thompson, on being also apprehended, was carried before Mr. alderman Oliver, the same day, and discharged.

Thus far, two magistrates had acted with impunity, when an attempt was made to arrest two of their fellow-citizens, in conformity to the royal mandate; but the authority of the house of commons had not hitherto been directly questioned. This, however, became a subject of discussion, before three magistrates, in the

course of the same day; a warrant having been issued, under the speaker's hand, and an attempt made to execute it, within the jurisdiction of the city, on a third printer.

On complaint being made at the mansion house, that endeavours had been used to seize and detain Mr. John Miller, a freeman of London, by a warrant under the authority of the house of commons, and that, in consequence of resistance, violence had ensued, the lord mayor, and two aldermen, immediately ordered the officer before them. After an examination, in the usual manner, the assault being fully proved, by competent witnesses, the lord mayor Crosby, who presided, insisted on committing the messenger of the house of commons to one of the jails for the same: and the following mittimus was accordingly made out for this purpose, which was afterwards signed by the three magistrates.

"To all and every the constables and other officers of the peace for the city of London, and the liberties thereof, whom these may concern, and to the keeper of Wood Street Compter.

"London to wit,

"These are, in his majesty's name, to command you, and every of you, forthwith, safely

to convey and deliver into the custody of the said keeper, the body of William Whitham, being charged before us, three of his majesty's justices of the peace in and for the said city and liberties, by the oaths of John Miller, Henry Page, John Topping, and Robert Page, for assaulting and unlawfully imprisoning him the said John Miller, in breach of his said majesty's peace; whom you, the said keeper, are hereby required to receive, and him in your custody safely keep, for want of sureties, until he shall be discharged by due course of law; and for your so doing, this shall be to you, and to each of you, a sufficient warrant.

"Given under our hands and seals this 15th day of March, 1771.

"BRASS CROSBY, Mayor, L. S.

"JOHN WILKES, L. S.

"RICHARD OLIVER, L. S."

On perceiving the magistrates determined to commit the messenger of the house of commons, Mr. Clementson, deputy serjeant at arms now interposed, and offered bail for the future appearance of the supposed culprit, which was accepted with seeming reluctance on the part of the lord mayor. After this, he immediately made an official report of what had occurred;

and sir Fletcher Norton, who filled the chair at that period, with great dignity, soon after communicated the particulars. The house was of course astonished at this most unexpected opposition to its orders. The manner in which the warrant of their speaker had been treated, filled the members with indignation: the threat to commit one of their officers, appeared highly offensive; and the humiliation of being obliged to give bail, to prevent him from being imprisoned in Newgate, or the Poultry Compter, proved mortifying in the extreme.

It was an astonishing circumstance indeed, that the commons of England, who had so often punished the ministers of the crown, and but a little more than a century before, had contended with, and overcome, a king of England, should now be braved by three justices of the metropolis! and it would have been still more humiliating, had they known what was really the fact, that the whole had been planned and contrived by a country parson, who had left the mere execution alone to the lord mayor and two aldermen of the city of London.

The following authentic account, extracted from the journals, will convey the best idea of

the proceedings of this branch of the legislature, upon the present occasion.

"*House of Commons*, 19° *die Martii*, 1771.

"The house of commons having yesterday received information, that one of the messengers of this house, after he had arrested John Miller, by virtue of the warrant of the speaker of the house of commons, to answer for a contempt of the said house, was carried by a constable, upon a charge made by the said messenger, by the said John Miller, for an assault and false imprisonment made upon the said John Miller, in the said warrant, before Brass Crosby, esq., lord mayor of the city of London, where John Wilkes, esq. and alderman, and Richard Oliver, esq. and alderman, were present.

"When the deputy serjeant at arms, attending this house, acquainted the said magistrates, that the said arrest of the said John Miller was made by the said messenger, under a warrant signed by the speaker of the house of commons; which warrant was then produced, and shown to the said magistrates, and it was demanded of them, that the said messenger should be discharged, and the said John Miller be delivered up to the custody of the said messenger; and that the said lord mayor, John Wilkes, esq.,

and Richard Oliver, esq., after such information and demand as aforesaid, signed a warrant for the commitment of the said messenger to the Compter, for the said supposed assault and false imprisonment of the said John Miller, and obliged the said messenger to enter into a recognizance for his appearance at the next quarter sessions of the peace to be held for the city of London, to answer to such indictments as should then be found against him for the said supposed assault and false imprisonment.

"Ordered, That Brass Crosby esq., lord mayor, do attend in his place to-morrow morning.

"Ordered, That John Wilkes, esq., an alderman of the city of London, do attend this house to-morrow morning.

"Ordered, That Richard Oliver, alderman, do attend in his place to-morrow morning.

"(Signed)

"J. Hatsell, Cl. Dom. Com."

The lord mayor and Mr. alderman Oliver having obeyed this summons, frankly acknowledged the accusation against them, but evinced no signs of fear, repentance, or contrition. On this, they were committed by the speaker's warrant, to the Tower of London, the house being

apprehensive lest the other magistrates of the corporation should either liberate or refuse to receive them, had they been sent to Newgate. As to Mr. Wilkes, instead of complying with the summons, he transmitted the following letter.

"TO THE RIGHT HON. SIR FLETCHER NORTON,

"SPEAKER OF THE HOUSE OF COMMONS.

"SIR,

"I this morning received an order command-
"ing my attendance this day in the house of
"commons. I observe, that no notice is taken
"of me, in your order, as a member of the
"house, and that I am not required to attend in
"my place. Both these circumstances, accord-
"ing to the settled form, ought to have been
"mentioned in my case; and I hold them ab-
"solutely indispensable.

"In the name of the freeholders of Middle-
"sex, I again demand my seat in parliament,
"having the honour of being freely chosen, by
"a very great majority, one of the representatives
"of the said county. I am ready to take the
"oaths prescribed by law, and to give in my
"qualification as knight of the shire.

"When I have been admitted to my seat, I

" will immediately give the house the most " exact detail, which will necessarily compre- " hend a full justification of my conduct rela- " tive to the late illegal *proclamation*, equally " injurious to the honour of the crown and the " rights of the subject, and likewise the whole " business of the printers.

" I have acted entirely from a sense of duty " to this great city, whose franchises I am sworn " to maintain, and to my country, whose noble " constitution I reverence, and whose liberties, " at the price of my blood, to the last moment " of my life, I will defend and support.

" I am, sir,

" Your humble servant,

" JOHN WILKES."

This spirited conduct, on the part of Mr. Wilkes, enabled him to foil and elude all the power, talents, and wisdom of that house, of which he claimed to be a member. On receiving the above letter, which was immediately read from the chair, a new order was made out for his attendance on the ensuing Monday: on the expiration of that period, without any symptom of compliance on his part, the summons was renewed for "the 8th day of April next;" and, as it was well known, that he would

not appear in any other capacity than that of knight of the shire for the county of Middlesex, the house, to prevent its authority from being thus outraged any longer, deemed it prudent, on the 30th of March, to "adjourn to Tuesday sevennight, the 9th day of April next," partly to conceal his disobedience from the public, and prevent such a humiliating example of contumacy from appearing on their own journals.

At this period, several members of the opposition questioned the jurisdiction of *one branch of the legislature.* But, both on this occasion and in the proceedings relative to the Middlesex election, Mr. Fox, who had just entered into public life, and then held a place as commissioner of the treasury, stoutly contended for the privileges of the commons; and, alluding to the numerous petitions on the table, rashly asserted, "that he knew nothing of the people, but through the medium of their representatives there assembled." This position, which his riper judgment afterwards disavowed, rankled for years in the breast of Mr. Horne, and continued to operate with effect through a large portion of his life. Mr. Wilkes, too, was actuated by a similar resentment, and neither of them could ever be prevailed upon to unite

cordially with this celebrated statesman, even after he had abjured all the political prejudices of his early life.

Meanwhile the house, incensed at the violation of its dignity, by two of its own acknowledged members, at the instigation of the ministry, determined to proceed to extremities. Accordingly, after the minutes had been expunged from the city register*, the lord mayor Crosby, and Mr. alderman Oliver, who had attended in their places, were committed to the Tower, where they were kept prisoners during the remainder of that session of parliament, and at the end of that period liberated, amidst the applauses and honours conferred on them by their fellow citizens, the corporation having voted their thanks at the same time, and presented them with gold boxes, as memorials of their esteem. A large portion of the nation, also, testified their approbation: and so strongly did the current of popularity then run, that they were hailed as men who had at once vindicated the privileges of the city and the freedom of the press.

* "By mere violence, and without the shadow of right, they have EXPUNGED the record of a judicial proceeding. Nothing remained but to attribute to their own vote a power of stopping the whole distribution of criminal and civil justice. Lord Chatham very properly called this the ACT of a MOB, not of a senate." JUNIUS, vol. ii, p. 160.

As for Mr. Wilkes, it has been already seen, how the house had been reduced to the necessity of a subterfuge, in order to allow him to escape with impunity*. He thus obtained fresh accessions of applause, and, towards the conclusion of 1775, on resigning the office of lord mayor, he not only mentioned his own conduct on this occasion with exultation, but boasted, that he had, in the course of that very year, threatened to commit a messenger of the house of lords to Newgate, for similar illegal proceedings†.

Nor ought it to be forgotten, that Messrs. Wheble, Thompson, and Miller, were never then or afterwards seized, prosecuted, or punished, for their conduct upon this occasion; while the sheriffs of London, in 1772, stated, in an address

* "Upon their own principles they should have committed Mr. Wilkes, who had been guilty of a greater offence than even the lord mayor or alderman Oliver. But, after repeatedly ordering him to attend, they at last adjourned beyond the day appointed for his attendance; and, by this mean, pitiful evasion, gave up the point. Such is the force of conscious guilt." JUNIUS.

† The house, in consequence of a complaint on the part of lord Lyttleton, against Mr. Kendall, a citizen of London, for disrespectful words, ordered the latter, *unheard*, to be taken into custody.

The gentleman usher of the black rod (sir F. Molyneux) repaired to the city, but finding the lord mayor Wilkes was prepared to commit him for a breach of the peace, he thought proper to retreat.

to the livery, " that the house of commons had tacitly acquiesced in the claim made by many of our worthy fellow citizens for the public at large, that the constituents have a right to be informed of the proceedings of their servants in parliament. Several honest printers," they are pleased to add, " in defiance of their illegal orders, gave the public all the particulars of their proceedings during the last session, proceedings which the house prudently endeavoured to hide in a darkness suited to their deeds.

" The same persons who asserted our rights during the last, have, through the present session, continued the exercise of it in its fullest extent. Notwithstanding the report of the committee was in express terms, that the house should order, that J. Miller be taken into custody of the serjeant at arms, the said Miller is still at large, and still continues the severest attacks upon them by faithfully publishing their proceedings; still braves their indignation, and sleeps secure in the city."

Nor was this all; for, notwithstanding the house had expressly ordered, " that no prosecution, suit, or proceeding, be commenced or carried on, for or on account of the said pretended assault or false imprisonment;" yet the recognizances were delivered to the quarter

sessions at Guildhall, and the grand jury actually found bills of indictment against William Whitham, the messenger, who had endeavoured to enforce the speaker's warrant, and Edward Twine Carpenter, a printer, who tried to carry the proclamation into effect. On this, it was deemed proper, on the part of the officers of the crown, to remove these two causes, by *certiorari*, into the court of King's Bench.

All legal proceedings were soon after suspended, however, by a rule to *show cause*, why a *noli prosequi*, on the part of the attorney-general, should not be entered up? On this, the printers, at the instigation of Mr. Horne, employed Mr., afterwards serjeant Adair, as their counsel on the occasion. This gentleman, accordingly, in pursuance of notice, attended Mr. attorney-general Delgey, May 17, 1771, to *show cause*; and after the indictment, and an affidavit on the part of the defendant had been read, delivered a long and learned argument on this subject.

Mr. Adair, who, for his conduct on this and similar occasions, soon after obtained the office of recorder of London, concluded by questioning the power of the commons to issue such a warrant as that under colour of which Mr. Miller had been apprehended; and quoted the 11th of Henry VI, c. 11, to prove that the au-

thority of an act of parliament was deemed necessary to punish an assault on the person of a member. He added, that the warrant, signed "Fletcher Norton, speaker," under colour of which Mr. Whitham acted, was for taking Mr. Miller into the custody of the *serjeant at arms, or his deputy;* and Mr. Whitham is described, in the direction of the very same warrant, to be neither the one nor the other of these.

The attorney-general, however, proved inexorable, resting the defence of his conduct solely on the question: how far it is fit the king should be a prosecutor of a servant of the house of commons, in the exertion of a privilege which they now claim, which they have claimed, and have been actually in possession of for ages? "The *noli prosequi*," he observed, "is called a prerogative right of the crown; it amounts to no more than this, that the king makes his election, whether he will continue or not to be the prosecutor on an indictment, and the *noli prosequi* is entered in the same words in case of the crown as of a private person. The entry upon the record is exactly the same by the attorney-general as by a plaintiff, upon record, in any civil suit."

Mr. Adair, in his rejoinder, observed, that, in a prosecution by indictment, the crown was not

solely concerned; and, in order to make the case exactly similar with that of a private person, it should be an information, *ex-officio*, or any other prosecution at the suit of the crown. In the present instance, it was the same in effect, though not in form, as if the king sent his mandate, and said the prosecution should not go on: it was tantamount to the granting of a pardon.

Thus, by the manly efforts of a bold and daring individual, neither clothed in the garb of justice nor the senatorial robe, destitute of all the influence usually derived from a large fortune, and supported by nothing but talents and perseverance alone, was this great question decided in favour of popular rights. The mere nominal triumph, indeed, was apparently on the side of the house of commons; but the result proved entirely in favour of the liberty of the press: for, from that moment, the debates have been published without interruption, and now afford a constant, innocent, and edifying amusement to the nation at large, as well as a great increase to its revenues. In process of time, the house of lords, also, silently conceded the point, and the late Mr. William Woodfall informed me, that he first published its debates on the appearance of the bill for embanking the

river, and erecting the noble terrace now called the Adelphi; at which period his slumbers were discomposed by nightly visions of Newgate, yeomen-ushers, and serjeants at arms. Escaping as if by miracle, he persevered, and finally attained considerable reputation. This eminent reporter was succeeded, in both houses, by gentlemen, not only possessing more retentive memories, but also better cultivated minds, who usually clothe the ideas of the members in elegant language, and insert all the learned quotations with classical fidelity and critical correctness.

CHAPTER VIII.

1771.

Controversy with Junius.

MR. HORNE, as we have already seen, was scarcely allowed time to breathe after his dispute with Wilkes, when he was forced to struggle for a degree, which would assuredly have been conferred on a man of inferior talents and less celebrity, without any opposition whatsoever. On his return, in triumph from the university, the liberty of the press, for a time, occupied his attention; and he was now assailed anew, by an arrow, shot from an unknown hand, which was intended for his destruction; but it suddenly glanced from his buckler, and that assault, originally calculated for his humiliation and defeat, finally added not a little to his character and reputation as a literary combatant.

Perhaps, this is the proper place, for a short account of some of the men of letters of that

day, who engaged in political controversy, and employed their pens either for or against the administration. On the side of the opposition, was Robert Lloyd, a man of genius, who died early in life, but not until he had distinguished himself by a taste for poetry. He attacked the ministers, however, by means of prose, in which he was less skilled: but the deadly enmities arising out of domestic feuds were but little suitable to a mind possessed of great sensibility, and addicted to the cultivation of the muses. He accordingly perished, amidst the conflicts of political hostility, after having engaged for some time as a writer against the court, and that, too, at a period, and in a cause, when even the necessaries of life were not always secured by his literary labours.

Charles Churchill, had already rendered himself celebrated as a satirist, by the publication of the "Rosciad," in which he lashed many of the heroes of the green room, with far better success, than those he was afterwards pleased to denominate the enemies of the state. He also derived more popularity from the "Prophecy of Famine," which gratified the ruling propensity of the English of that day, towards national prejudice, than by any of his political papers.

Mr. Churchill heartily joined in depreciating

the peace of Paris; and, under the names of the "Thane," and "Mortimer," was equally eager in his abuse of the earl of Bute, both in prose and rhime.

Mr. Wilkes may be considered one of the most successful writers of those times, on the popular side of the question. The well merited applause of the first Mr. Pitt had taught him, in early life, to set a high value on his own talents. A good education inspired him with a classical taste, while an association with the best company gave a polish to his wit, which, in its turn, transferred an edge and keenness to his writings, that none of his antagonists could cope with, and but few, for any length of time, withstand.

Philip Thicknesse, so famous afterwards for his travels and his eccentricities, had been an officer in his youth, and afterwards obtained the appointment of lieutenant-governor of Landguard Fort. He wrote on the same side, under the patronage of that great and good man, the first lord Camden, and, with several others, became proprietors of the Middlesex Journal, for the express purpose of using it as a vehicle of attack against the administration of that day.

While these, and a host of anonymous writers, abused every measure of the court with indiscriminate severity, they themselves were occasionally

assailed by the attorney-general, who, by means of *ex-officio informations*, which precluded the intervention of a grand jury, brought down ruin and misery on their devoted heads. In addition to this, their positions were combated, their facts questioned, and their conclusions denied, by a number of able and experienced writers; and it is no small proof of the utility, as well as excellence of our constitution, that both parties, on this, as on all similar occasions, affected to appeal to the judgment and decision of the people — thus rendering public liberty more secure by their very contentions *.

Of the latter, Dr. Tobias Smollet, a Scotchman of some eminence, and possessed of various attainments, had acquired considerable celebrity by his novels, in which the scenes were sometimes indelicate, and the aim not always liberal. The reputation thus obtained by fiction was, in some measure, destroyed when he attempted to delineate facts; for he wrote a history of England, without studiously investigating ancient authorities, or carefully analysing the motives of human action. But he was a man, who, to a high sense of honour, is said to have added considerable talents, and only wanted that leisure and opportunity, which

* Ex pugna monstrorum, libertas.

wealth alone affords, to excel in every branch of science. Having, unhappily, relinquished the profession of medicine, he dipped his pen in the gall of party-politics, and died in Italy, at the age of fifty, after experiencing all the infelicity but too frequently attendant on men of genius.

Dr. Francis, the translator of Horace and Demosthenes, who embarked in the same cause, proved more fortunate. He was patronised by lord Holland, who obtained for him a creditable rather than profitable appointment in Chelsea Hospital: but he was enabled to make a splendid provision for his son Philip, now a knight of the bath, who, after distinguishing himself during Mr. Hastings's administration in the East, adopted a different side in politics, and whose talents, great, various, and commanding, have been of late unfortunately lost to his native country in the obscurity of private life.

Mr. Malloch, who, for the sake of musical cadence, had changed his name to Mallet, was a native of the north. He had written a life of Bacon, in which he is accused of having forgotten that his author was a *philosopher*; but he obtained some celebrity by being associated with his countryman, Thomson, in composing

the "Masque of Alfred," for the entertainment of the little court at Leicester House, during a period when it affected popularity. He was also honoured with the friendship of Pope, Swift, and Bolingbroke, the last of whom bequeathed to him his posthumous works — a circumstance that produced the bitter and sarcastic remark, from the pen of the orthodox Dr. Johnson, "that a late nobleman had charged a blunderbuss, with all manner of combustibles, against the human race, and that he dared not let it off himself, but had hired a rascal to pull the trigger."

Arthur Murphy, like Dr. Francis, was from Ireland; and, like Smollet, was generally embarrassed in respect to his finances. By turns, an actor, a barrister, a dramatic writer, and a translator, he conducted a periodical work, in opposition to the "North Briton," with but equivocal success. He, too, was patronised by lord Holland, and occasionally paid for his labours by means of a commission *.

* The author learned this circumstance from Mr. Murphy himself, who, at the same time, told him, that having sold, to the son of a pawnbroker, an ensigncy in the late duke of Richmond's regiment, that nobleman attempted to trace the fact home to his brother-in-law, with whom he was then on bad terms; and added, that this event gave rise to the

It was confidently asserted, by their opponents, that both he and his coadjutors received immense sums of money from the treasury, and that the largesses conferred on them at least equalled a German subsidy; but their lives and their deaths equally confute this assertion, for although they were comparatively economical in their expenses, they left little or nothing to their heirs. Indeed, but for the kindness of the Thrale family, to which he had originally introduced his friend Dr. Johnson, and one or two well-timed donations, from the discriminating liberality of the Literary Fund, the latter days of this gentleman would have been embittered by the extremes of poverty and distress.

But the ministers found, perhaps, their most useful ally in Hogarth, an artist of acknowledged humour, and original genius. Forgetting all the ties of friendship, and true to interest alone, by caricaturing the persons, and distorting the actions of their antagonists, he often exposed them to contempt; and, if his art did not extend to the vindication of their own conduct, yet he contrived to blunt the shafts of their oppo-

insertion of all officers names in the gazette—a regulation never before practised.

nents, by means of the most exquisite ridicule. The respectable profession of Churchill, and the unhappy physiognomy of Mr. Wilkes, alike exposed them to the keenness of his graphic wit; and even the talents and the virtues of the first William Pitt did not always shield this great man from the puny but successful vengeance exercised by the graver of the king's serjeant-painter.

While the party-writers, on both sides, combated each other with various success, and, by turns, assailed, defended, ridiculed, and panegyrised all the great men of the day, a warrior, with his visor up, suddenly entered the lists, without disclosing either his name, or rank, and was fortunate enough to find a cavalier, decked with a red riband, ready to break a lance with him. Having unhorsed this knight of the bath in the very first encounter, he by turns attacked all the champions in the field, and the earls of Bute and Mansfield, together with the duke of Grafton, by turns felt the effects of his skill and intrepidity. Even majesty itself was not sacred from his attacks; for he rudely approached the throne, and brandished his weapons, in the face of the sovereign. The eyes of all were instantly fixed upon him, and, with loud shouts, demanded who he was? but

he fought in a mask, under the feigned appellation of JUNIUS, which was proudly emblazoned on his banner, and, as he did not openly wear the colours of any party, it is difficult to trace either his person or his motives. Although he levelled the most deadly blows with impunity, and at times recurred to weapons not always warranted by the courtesy of modern warfare, yet his doom was already sealed, for he was now stopped, in mid-career, and vanquished by the arm of a priest!

The first letter, published by this celebrated writer, was addressed to the printer of the "Public Advertiser," and is dated January 21, 1769. After depicting the situation of the country in the most gloomy colours, and condoling with the people on their fate, in elegant and polished periods, which seemed to give additional energy to his attack, he concludes thus:—"If, by the immediate interposition of Providence, it were possible for us to escape a crisis so full of terror and despair, posterity will not believe the history of the present times. They will either conclude, that our distresses were imaginary, or that we had the good fortune to be governed by men of acknowledged integrity and wisdom: they will not believe it possible, that their ancestors

could have survived or recovered from so desperate a condition, while a duke of Grafton was prime minister, and lord North chancellor of the exchequer; a Weymouth, and a Hillsborough, secretaries of state: a Granby, commander-in-chief; and a Mansfield, chief criminal judge of the kingdom." The replies of sir William Draper attracted fresh abuse on his own friends, and acquired additional celebrity to this writer, who was now complete master of the field, when, in a rash moment, he wantonly selected from the throng, and attacked the subject of these memoirs with an unusual degree of rancour, malignity, and injustice. It was not until his fifteenth letter *, however, dated July 9, 1771, that he mentioned this gentleman with asperity; and it is no small proof of the estimation in which his influence was then held, that Mr. Horne's supposed defection from the public cause, and his alledged misconduct in the city, in opposition to Mr. Wilkes, constituted

* This is addressed to the duke of Grafton; and, being written during the election for sheriffs of London, contains many pointed allusions to city politics. On that occasion, Mr. alderman Oliver having refused to serve the office with Wilkes, the latter immediately united with Mr. alderman Bull, and obtained a large majority for himself and his colleagues. Messrs. Plumbe and Kirkman were the ministerial candidates.

the basis of the accusation. After mentioning his "new zeal," in support of administration, he proceeds as follows:

"The unfortunate success of the rev. Mr. Horne's endeavours in support of the ministerial nomination of sheriffs, will, I fear, obstruct his preferment. Permit me to recommend him to your grace's protection. You will find him copiously gifted with those qualities of the heart, which usually direct you in the choice of your friendships. He, too, was Mr. Wilkes's friend, and as incapable as you are of the liberal resentment of a gentleman. No, my lord—it was the solitary, vindictive malice of a monk, brooding over the infirmities of his friend, until he thought they quickened into public life, and feasting with a rancorous rapture upon the sordid catalogue of his distresses. Now, let him go back to his cloister. The church is a proper retreat for him. In his principles, he is already a bishop. The mention of this man has moved me from my natural moderation: let me return to your grace; you are the pillow on which I am determined to rest all my resentments."

An attack, at once so scandalous and so false, on the person, principles, and profession of Mr. Horne, was not to be endured; and, although he was assailed from several quarters, and even

brought upon the stage by Mr. Foote, yet he immediately resumed his pen, and replied in the following letter, which attracted general notice.

"THE REV. J. HORNE TO JUNIUS.

July 13, 1771.

"SIR,

"FARCE, comedy, and tragedy—Wilkes, "Foote, and Junius, united at the same time "against one poor parson, are fearful odds. The "two former are only labouring in their voca- "tion, and may equally plead in excuse, that "their aim is a livelihood. I admit the plea for "the *second;* his is an honest calling, and my "clothes were lawful game; but I cannot so "readily approve Mr. Wilkes, or commend him "for making patriotism a trade, and a fraudu- "lent trade. But what shall I say to *Junius,* "the grave, the solemn, the didactic! Ridi- "cule, indeed, has been ridiculously called the "test of truth; but surely, to confess that you "lose your *natural moderation* when mention is "made of the man, does not promise much "truth or justice when you speak of him "yourself.

"You charge me with 'a new zeal in sup- "port of administration,' and with 'endeavours

" in support of the ministerial nomination of " sheriffs.' The reputation which your talents " have deservedly gained to the signature of " *Junius*, draws from me a reply, which I dis- " dained to give to the anonymous lies of Mr. " Wilkes. You make frequent use of the word " *gentle-man;* I only call myself a *man*, and " desire no other distinction: if you are either, " you are bound to make good your charges, or " to confess that you have done me a hasty in- " justice upon no authority.

" I put the matter fairly to issue.—I say that, " so far from any ' new zeal in support of admi- " nistration,' I am possessed with the utmost " abhorrence of their measures; and that I " have ever shown myself, and am still ready, in " any rational manner, to lay down all I have " —my life—in opposition to those measures. " I say, that I have not, and never have had, any " communication or connexion of any kind, " directly or indirectly, with any courtier or " ministerial man, or any of their adherents; that " I never have received, or solicited, or expected, " or desired, or do now hope for, any reward of " any sort, from any party or set of men in ad- " ministration or opposition: I say, that I never " used any ' endeavours in support of the mi- " nisterial nomination of sheriffs;' that I did

" not solicit any one liveryman for his vote for " any one of the candidates; nor employ any " other person to solicit: and that I did not " write one single line or word in favour of " Messrs. Plumbe and Kirkman, whom I un- " derstand to have been supported by the mi- " nistry.

" You are bound to refute what I here ad- " vance, or to lose your credit for veracity; you " must produce facts; surmise and general abuse, " in however elegant language, ought not to pass " for proofs. You have every advantage, and " I have every disadvantage: you are unknown, " I give my name: all parties, both in and out " of administration, have their reasons (which " I shall relate hereafter) for uniting in their " wishes against me: and the popular prejudice " is as strongly in your favour, as it is violent " against the parson.

" Singular as my present situation is, it is " neither painful, nor was it unforeseen. He " is not fit for public business who does not " even at his entrance prepare his mind for " such an event. Health, fortune, tranquil- " lity, and private connexions, I have sacrificed " upon the altar of the public; and the only " return I receive, because I will not concur to " dupe and mislead a senseless multitude, is

" barely, that they have not yet torn me in " pieces. That this has been the only re- " turn, is my pride; and a source of more real " satisfaction than honours or prosperity. I " can practise, before I am old, the lessons I " learned in my youth; nor shall I ever forget " the words of my ancient monitor:

" 'Tis the last key-stone ———
That makes the arch: the rest that there were put
Are nothing, till that comes to bind and shut.
Then stands it a triumphal mark! then men
Observe the strength, the height, the why and when
It was erected; and still walking under,
Meet some new matter to look up and wonder!'

" I am, sir,
" Your humble servant,
" JOHN HORNE."

Soon after the appearance of this letter, Mr. Woodfall received the following private note, in the hand-writing of Junius, accompanying the reply, which the latter had determined, if possible, to keep secret.

" *July* 16, 1771.

" To prevent any unfair use being made of " the enclosed, I entreat you to keep a copy of " it; then seal, and deliver it to Mr. Horne. I " presume you know where he is to be found.

" C. *"

* New edition of Junius, vol. i, No. 36, p. *226.

It was evidently the wish, perhaps, of this celebrated writer, not to be interrupted in his attack on the duke of Grafton, &c.; but he was disappointed; for Mr. Horne, with his usual manliness, returned the letter to the printer, with instructions to publish it immediately.

"JUNIUS TO THE REV. J. HORNE.

"*July* 24, 1771.

"SIR,

"I CANNOT descend to an altercation with "you in the newspapers. But since I have at- "tacked your character, and you complain of "injustice, I think you have some right to an "explanation. You defy me to prove that you "ever solicited a vote, or wrote a word in sup- "port of the ministerial aldermen. Sir, I did "never suspect you of such gross folly. It would "have been impossible for Mr. Horne to have "solicited votes, and very difficult to have "written for the newspapers in defence of that "cause, without being detected and brought to "shame. Neither do I pretend to any intelli- "gence concerning you, or to know more of "your conduct, than you yourself have thought "proper to communicate to the public. It is

" from your own letters I conclude that you " have sold yourself to the ministry: or, if that " charge be too severe, and supposing it possible " to be deceived by appearances so very strongly " against you, what are your friends to say in your " defence? Must they not confess that, to gra- " tify your personal hatred of Mr. Wilkes, you " sacrificed, as far as depended upon *your* in- " terest and abilities, the cause of the coun- " try? I can make allowance for the violence " of the passions; and, if ever I should be con- " vinced that you had no motive but to de- " stroy Wilkes, I shall then be ready to do jus- " tice to your character, and to declare to the " world, that I despise you somewhat less than " I do at present.—But as a public man, I must " for ever condemn you. You cannot but know " — nay you dare not pretend to be ignorant— " that the highest gratification of which the most " detestable ———— in this nation is capable, " would have been the defeat of Wilkes. I know " *that man* much better than any of you. Na- " ture intended him only for a good-humoured " fool. A systematical education, with long " practice, has made him a consummate hy- " pocrite. Yet this man, to say nothing of " his worthy ministers, you have most assidu- " ously laboured to gratify. To exclude Wilkes,

"it was not necessary you should solicit votes for "his opponents. We incline the balance as "effectually by lessening the weight in one "scale, as by increasing it in the other.

"The mode of your attack upon Wilkes, "(though I am far thinking meanly of your abi- "lities,) convinces me, that you either want "judgment extremely, or that you are blinded "by your resentment. You ought to have fore- "seen, that the charges you urged against "Wilkes could never do him any mischief. "After all, when we expected discoveries highly "interesting to the community, what a pitiful "detail did it end in! Some old clothes — a "Welch poney — a French footman — and a "hamper of claret. Indeed, Mr. Horne, the "public should, and *will*, forgive him his claret "and his footmen, and even the ambition of "making his brother chamberlain of London, "as long as he stands forth against a ministry "and parliament, who are doing every thing "they can to enslave the country, and as long "as he is a thorn in the king's side. You will "not suspect me of setting up *Wilkes* for a per- "fect character. The question to the public is, "where shall we find a man, who, with purer "principles, will go the lengths and run the ha- "zards that he has done? The season calls for

"such a man, and he ought to be supported. "What would have been the triumph of that "odious hypocrite and his minions, if *Wilkes* had "been defeated! It was not *your* fault, reve- "rend sir, that he did not enjoy it completely. "—But now I promise you, you have so little "power to do mischief, that I much question "whether the ministry will adhere to the pro- "mises they have made you. It will be in vain "to say that I am a partisan of Mr. Wilkes, or "personally your enemy. You will convince "no man, for you do not believe it yourself. Yet, "I confess, I am a little offended at the low rate "at which you seem to value my understand- "ing. I beg, Mr. Horne, you will hereafter be- "lieve that I measure the integrity of men by "their conduct, not by their professions. Such "tales may entertain Mr. Oliver, or your grand- "mother, but, trust me, they are thrown away "upon *Junius*.

"You say you are a *man*. Was it generous, "was it manly, repeatedly to introduce into "a newspaper the name of a young lady, with "whom you must heretofore have lived on terms "of politeness and good humour?—But I have "done with you. In *my* opinion your credit "is irrecoverably ruined. Mr. *Townsend*, I "think, is nearly in the same predicament.—

"Poor *Oliver* has been shamefully duped by "you. You have made him sacrifice all the "honour he got by his imprisonment.—As for "Mr. *Sawbridge*, whose character I really re- "spect, I am astonished he does not see through "your duplicity. Never was so base a design so "poorly conducted.—This letter, you see, is "not intended for the public; but, if you think "it will do you any service, you are at liberty "to publish it.

"JUNIUS."

"THE REV. J. HORNE TO JUNIUS.

"*July* 31, 1771.

"SIR,

"YOU have disappointed me. When I told "you that surmise and general abuse, in how- "ever elegant language, ought not to pass for "proofs, I evidently hinted at the reply which "I expected: but you have dropped your usual "elegance, and seem willing to try what will "be the effect of surmise and general abuse in "very coarse language. Your answer to my "letter (which I hope was cool, and temperate, "and modest) has convinced me that my idea "of a *man* is much superior to yours of a *gen-* "*tleman*. Of your former letters I have always "said *materiam superabat opus:* I do not think

"so of the present; the principles are more "detestable than the expressions are mean and "illiberal. I am contented that all those who "adopt the one should for ever load me with the "other.

"I appeal to the common sense of the public, "to which I have ever directed myself: I be- "lieve they have it, though I am sometimes "half inclined to suspect that Mr. Wilkes has "formed a truer judgment of mankind than I "have. However, of this I am sure, that there "is nothing else upon which to place a steady "reliance. Trick, and low cunning, and ad- "dressing their prejudices and passions, may "be the fittest means to carry a particular "point; but, if they have not common sense, "there is no prospect of gaining for them any "real permanent good. The same passions "which have been artfully used by an honest "man for their advantage, may be more artfully "employed by a dishonest man for their de- "struction. I desire them to apply their com- "mon sense to this letter of *Junius*, not for my "sake, but their own; it concerns them most "nearly, for the principles it contains lead to "disgrace and ruin, and are inconsistent with "every notion of civil society.

"The charges which *Junius* has brought

"against me are made ridiculous by his own "inconsistency and self-contradiction. He "charges me positively with 'a new zeal in sup- "port of administration;' and with 'endeavours "in support of the ministerial nomination of she- "riffs.' And he assigns two inconsistent motives "for my conduct: either that I have '*sold* myself "to the ministry;' or am instigated 'by the so- "litary, vindictive *malice* of a monk:' either "that I am influenced by a sordid desire of "*gain*; or am hurried on by 'personal *hatred*, "and blinded by *resentment*.'

"In his letter to the duke of Grafton he "supposes me actuated by both: in his letter "to me he at first doubts which of the two, "whether interest or revenge, is my motive: "however, at last he determines for the former, "and again positively asserts, that 'the mi- "nistry have made me promises;' yet he pro- "duces no instance of corruption, nor pretends "to have any intelligence of a ministerial con- "nexion: he mentions no *cause* of personal "hatred to Mr. Wilkes, nor any *reason* for my "resentment or revenge; nor has Mr. Wilkes "himself ever hinted any, though repeatedly "pressed. When *Junius* is called upon to jus- "tify his accusation, he answers, 'he cannot "descend to an altercation with me in the

" newspapers.' *Junius*, who *exists* only in the " newspapers, who acknowledges ' he has at- " tacked my character' *there*, and thinks I have " some right to an *explanation*; yet this *Junius* " ' cannot descend to an altercation in the news- " papers !' and because he cannot descend to an " altercation with me in the newspapers, he " sends a letter of abuse by the printer, which " he finishes with telling me — ' I am at liberty " to *publish* it.' This, to be sure, is a most ex- " cellent method to avoid an altercation in the " newspapers !

" The *proofs* of his positive charges are as ex- " traordinary: ' he does not pretend to any in- " telligence concerning me, or to know more of " my conduct than I myself have thought pro- " per to communicate to the public.' He does " not suspect me of such gross folly as to have " solicited votes, or to have written anony- " mously in the newspapers, because it is im- " possible to do either of these without being " detected and brought to shame. *Junius* says " this ! who yet imagines that he has himself " written two years under that signature, (and " more under *others*,) without being detected ! " — his warmest admirers will not hereafter " add, without being brought to shame. But " though he did never suspect me of such gross

" folly as to run the *hazard* of being detected " and brought to shame by *anonymous* writing, " he insists that I have been guilty of a much " grosser folly of incurring the certainty of " shame and detection by writings *signed* with " my name! But this is a small flight for the " towering *Junius:* 'he is FAR from thinking " meanly of my abilities,' though he 'is con- " vinced that I want judgment extremely,' and " can REALLY RESPECT *Mr. Sawbridge's cha-* " *racter,*' though he declares HIM *to be* so " POOR A CREATURE *as not to 'see through the* " *basest design conducted in the poorest man-* " *ner!*' And this most base design is conducted " in the poorest manner, by a man whom he " does not suspect of gross folly, and of whose " abilities he is FAR from thinking meanly!

" Should we ask *Junius* to reconcile these " contradictions, and explain this nonsense, the " answer is ready; 'he cannot descend to an al- " tercation in the newspapers.' He feels no re- " luctance to attack the character of any man: " the throne is not too high, nor the cottage too " low: his mighty malice can grasp both ex- " tremes: he hints not his accusations as *opi-* " *nion, conjecture,* or *inference;* but delivers " them as *positive assertions.* Do the accused " complain of injustice? He acknowledges they

" have some sort of right to an *explanation*; " but if they ask for *proofs* and *facts*, he begs to " to be excused; and though he is no where " else to be encountered — 'he cannot descend " to an altercation in the newspapers.'

" And this, perhaps, *Junius* may think 'the " *liberal resentment of a gentleman*;' this skulk- " ing assassination he may call courage. In all " things, as in this, I hope we differ:

> " 'I thought that fortitude had been a mean
> 'Twixt fear and rashness; not a lust obscene
> Or appetite of offending; but a skill
> And nice discernment between good and ill.
> Her ends are honesty and public good,
> And without these she is not understood.'

" Of two things, however, he has conde- " scended to give proof. He very properly pro- " duces a *young lady* to prove that I am not " a man; and a good *old woman*, my grandmo- " ther, to prove Mr. Oliver a fool. Poor old " soul! she read her bible far otherwise than " *Junius!* she often found there, that the sins " of the fathers had been visited on the chil- " dren; and therefore was cautious that herself " and her immediate descendants should leave " no reproach on her posterity; and they left " none: how little could she foresee this reverse " of *Junius*, who visits my political sins upon

" my *grandmother!* I do not charge this to the " score of malice in him, it proceeded entirely " from his propensity to blunder; that whilst " he was reproaching me for introducing, in the " most harmless manner, the name of *one* fe- " male, he might himself, at the same instant, " introduce *two*.

" I am represented alternately as it suits *Ju-* " *nius's* purpose, under the opposite characters " of a *gloomy monk*, and a man of *politeness* " and *good humour*. I am called 'a *solitary* " *monk*,' in order to confirm the notion given of me " in Mr. Wilkes's anonymous paragraphs, that I " *never laugh*: and the terms of *politeness* and " *good humour*, on which I am said to have lived " heretofore with the *young lady*, are intended " to confirm other paragraphs of Mr. Wilkes, " in which he is supposed to have offended me " by *refusing his daughter*. Ridiculous! Yet " I cannot deny but that *Junius* has proved me " *unmanly* and *ungenerous* as clearly as he has " shown me *corrupt* and *vindictive*: and I will " tell him more; I have paid the present mi- " nistry as many *visits* and *compliments* as ever " I paid to the *young lady*, and shall all my life " treat them with the *same politeness and good* " *humour*.

" But *Junius* 'begs me to believe that he

" measures the integrity of men by their *con-*
" *duct*, not by their *professions*.' Sure this *Ju-*
" *nius* must imagine his readers as void of un-
" derstanding, as he is of modesty! Where
" shall we find the standard of HIS integrity?
" By what are we to measure the *conduct* of
" this lurking assassin? — And he says this to
" me, whose conduct, wherever I could per-
" sonally appear, has been as direct, and open,
" and public as my words; I have not, like
" him, concealed myself in a chamber to shoot
" my arrows out of the window; nor con-
" tented myself to view the battle from afar;
" but publicly mixed in the engagement, and
" shared the danger. To whom have I, like him,
" refused my name upon complaint of injury?
" what printer have I desired to conceal me?
" in the infinite variety of business I have been
" concerned, where it is not so easy to be fault-
" less, which of my actions can he arraign? to
" what danger has any man been exposed, which
" I have not faced? *information, imprisonment,*
" or *death?* what labour have I refused? what
" expense have I declined? what pleasure have
" I not renounced? — But *Junius, to whom no*
" *conduct belongs*, ' measures the integrity of
" men by their *conduct*, not by their profes-
" sions;' himself all the while being nothing

" but *professions*, and those, too, *anonymous!*
" The political ignorance or wilful falshood of
" this *declaimer* is extreme: his own *former* let-
" ters justify both my conduct and those whom
" his *last* letter abuses: for the public measures,
" which *Junius* has been all along defending,
" were ours, whom he attacks; and the uniform
" opposer of those measures has been Mr.
" Wilkes, whose bad actions and intentions he
" endeavours to screen.

" Let *Junius* now, if he pleases, change his
" abuse; and, quitting his loose hold of *interest*
" and *revenge*, accuse me of *vanity*, and call this
" defence *boasting*. I own I have a pride to see
" statutes decreed, and the highest honours con-
" ferred on measures and actions which all men
" have approved: whilst those who counselled
" and caused them are execrated and insulted.
" The darkness in which *Junius* thinks himself
" shrouded, has not concealed him; nor the ar-
" tifice of only *attacking under that signature*
" those he would pull down, (whilst he *recom-*
" *mends by other ways* those he would have pro-
" moted,) disguised from me whose partisan he
" is. When lord Chatham can forgive the
" awkward situation in which for the sake of
" the public he was designedly placed by the
" thanks to him from the city; and when

" *Wilkes's name* ceases to be necessary to lord " Rockingham to keep up a clamour against the " *persons* of the ministry, without obliging the " different factions now in opposition to bind " themselves beforehand to some certain points, " and to stipulate some precise advantages to " the public; then, and not till then, may those " whom he now abuses expect the approbation " of *Junius*. The approbation of the public for " our faithful attention to their interest by en- " deavours for those stipulations, which have " made us as obnoxious to the factions in op- " position as to those in administration, is not " perhaps to be expected till some years hence; " when the public will look back and see how " shamefully they have been deluded; and by " what arts they were made to lose the golden " opportunity of preventing what they will surely " experience—a change of ministers without a " *material* change of measures, and without any " security for a tottering constitution.

" But what cares *Junius* for the security of " the constitution? He has now unfolded to us " his diabolical principles. *As a public man he* " *must ever condemn any measures which may* " *tend accidentally to gratify the sovereign:* " and Mr. Wilkes is to be supported and as- " sisted in all his attempts (no matter how ridi-

" culous and mischievous his projects) *as long as* " *he continues to be a thorn in the king's side!*— " The *cause of the country*, it seems, in the " opinion of *Junius*, is merely to vex the king; " and any rascal is to be supported in any roguery, " provided he can only thereby plant *a thorn in* " *the king's side.*—This is the very extremity " of faction, and the last degree of political " wickedness.

" Because lord Chatham has been ill-treated " by the king, and treacherously betrayed by " the duke of Grafton, the latter is to be 'the " pillow on which *Junius* will rest his resent- " ment;' and the public are to oppose the mea- " sures of government from mere motives of " personal enmity to the sovereign!—These are " the avowed principles of the man who in the " same letter says, 'If ever he should be con- " vinced that I had no motive but to destroy " Wilkes, he shall then be ready to do justice " to my character, and to declare to the world " that he despises me somewhat less than he " does at present!'

" Had I ever acted from personal affection or " enmity to Mr. *Wilkes*, I should justly be " despised: but what does he deserve whose " avowed motive is personal enmity to the so- " vereign? The contempt which I should

" otherwise feel for the absurdity and glaring
" inconsistency of *Junius*, is here swallowed up
" in my abhorrence of his principle. The *right*
" *divine* and *sacredness* of kings is to me a sense-
" less jargon. It was thought a daring expres-
" sion of Oliver Cromwell, in the time of Charles
" the First, that, if he found himself placed op-
" posite to the king in battle, he would dis-
" charge his piece into his bosom as soon as
" into any other man's. I go farther: had I lived
" in those days, I would not have waited for
" chance to give me an opportunity of doing
" my duty; I would have sought him through
" the ranks, and, without the least personal en-
" mity, have discharged my piece into his
" bosom *rather* than into any other man's. The
" king, whose actions justify rebellion to his
" government, deserves death from the hand of
" every subject. And should such a time ar-
" rive, I shall be as free to act as to say. But,
" till then, my attachment to the person and
" family of the sovereign shall ever be found
" more zealous and sincere than that of his flat-
" terers. I would offend the sovereign with as much
" reluctance as the parent; but if the happiness
" and security of the whole family made it ne-
" cessary, so far, and no farther, I would offend
" him without remorse.

"But let us consider a little whither these "principles of *Junius* would lead us. Should "Mr. Wilkes once more commission Mr. Thomas Walpole to procure for him a pension of "*one thousand pounds* upon the Irish establishment for thirty years; he must be supported "in the demand by the public — because it "would mortify the king!

"Should he wish to see lord Rockingham and "his friends once more in administration, *unclogged by any stipulations for the people*, "that he might again enjoy a *pension of one thousand and forty pounds a year*, viz., from the "*first lord of the treasury* 500*l.*, from the *lords* "*of the treasury* 60*l.* each; from the *lords of* "*trade* 40*l.* each, &c., the public must give up "their attention to points of national benefit, "and assist Mr. Wilkes in his attempt — because it would mortify the king!

"Should he demand the government of *Canada*, or of *Jamaica*, or the embassy to *Constantinople*; and in case of refusal threaten to "write them down, as he had before served "another administration, in a year and a half; "he must be supported in his pretensions, and "upheld in his insolence — because it would "mortify the king!

"Junius may choose to suppose that these

" things cannot happen! But that they have " happened, notwithstanding Mr. Wilkes's de- " nial, I do aver. I maintain that Mr. Wilkes " did commission Mr. Thomas Walpole to so- " licit for him a pension of *one thousand pounds* " on the *Irish* establishment for *thirty years*; " with which, and a pardon, he declared he " would be satisfied: and that, notwithstanding " his letter to Mr. Onslow, he did accept a *clan-* " *destine, precarious*, and *eleemosynary* pension " from the Rockingham administration; which " they paid in proportion to, and out of their " salaries; and so entirely was it ministerial, " that as any of them went out of the ministry, " their names were scratched out of the list, " and they contributed no longer. I say, he " did solicit the governments and the embassy, " and threatened their refusal nearly in these " words: — 'It cost me a year and a half to " write down the last administration; should I " employ as much time upon you, very few of you " would be in at the death.' When these " threats did not prevail, he came over to Eng- " land to embarrass them by his presence; and " when he found that lord Rockingham was " something firmer and more manly than he ex- " pected, and refused to be bullied — into what " he could not perform, Mr. Wilkes declared

"that he could not leave England without "money; and the duke of Portland and lord "Rockingham purchased his absence with *one* "*hundred pounds apiece;* with which he re- "turned to Paris. And for the truth of what "I here advance, I appeal to the duke of Port- "land, to lord Rockingham, to lord John Ca- "vendish, to Mr. Walpole, &c.—I appeal to "the hand-writing of Mr. Wilkes, which is still "extant.

"Should Mr. Wilkes afterwards (failing in "this wholesale trade) choose to dole out his "popularity by the pound, and expose the city "offices to sale to his brother, his attorney, &c., "*Junius* will tell us, it is only an *ambition* that "he has to make them *chamberlain, town-clerk,* "&c.; and he must not be opposed in thus rob- "bing the ancient citizens of their birth-right— "because any defeat of Mr. Wilkes would gra- "tify the king!

"Should he, after consuming the whole of his "own fortune and that of his wife, and incur- "ring a debt of *twenty thousand pounds* merely "by his own private extravagance, without a "single service or exertion all this time for the "public, whilst his estate remained; should he "at length, being undone, commence patriot, "have the good fortune to be illegally perse-

" secuted, and in consideration of that illega-
" lity, be espoused by a few gentlemen of the
" purest public principles; should his debts,
" (though none of them were contracted for the
" public,) and all his other incumbrances, be
" discharged; should he be offered 600*l.* or
" 1000*l.* a year to make him independent for
" the future; and should he, after all, instead
" of gratitude for these services, insolently for-
" bid his benefactors to bestow their own money
" upon any other object but himself, and revile
" them for setting any bounds to their supplies;
" *Junius*, (who any more than lord Chatham,
" never contributed one farthing to these enor-
" mous expenses,) will tell them, that, if they
" think of converting the supplies of Mr.
" Wilkes's private extravagance to the support
" of public measures — they are as great fools
" as my *grandmother*; and that Mr. Wilkes
" ought to hold the strings of their purses — *as*
" *long as he continues to be a thorn in the king's*
" *side.*

" Upon these principles I never have acted,
" and I never will act. In my opinion, it is
" less dishonourable to be the creature of a court
" than the tool of a faction. I will not be
" either. I understand the two great leaders of
" opposition to be lord Rockingham and lord

"Chatham; under one of whose banners all "the opposing members of both houses, who "desire to get places, enlist. I can place no "confidence in either of them, or in any others, "unless they will now engage, whilst they are "OUT, to grant certain essential advantages "for the security of the public when they shall "be IN administration. These points they re- "fuse to stipulate, because they are fearful lest "they should prevent any future overtures from "the court.

"To force them to these stipulations has "been the uniform endeavour of Mr. Sawbridge, "Mr. Townsend, Mr. Oliver, &c., and THERE- "FORE they are abused by *Junius*. I know no "reason but my zeal and industry in the same "cause, that should entitle me to the honour of "being ranked by his abuse with persons of "their fortune and station. It is a duty I owe "to the memory of the late Mr. Beckford to "say, that he had no other aim than this "when he provided that sumptuous entertain- "ment at the mansion-house, for the members "of both houses in opposition. At that time "he drew up the heads of an engagement, "which he gave to me with a request that I "would couch it in terms so cautious and pre- "cise, as to leave no room for future quibble

" and evasion; but to oblige them either to ful-
" fil the intent of the obligation, or to sign their
" own infamy, and leave it on record; and this
" engagement he was determined to propose to
" them at the mansion-house, that either by
" their refusal they might forfeit the confidence
" of the public, or by the engagement lay a
" foundation for confidence. When they were
" informed of the intention, lord Rockingham
" and his friends flatly refused any engagement;
" and Mr. Beckford as flatly swore, they should
" then — 'eat none of his broth;' and he was
" determined to put off the entertainment: but
" Mr. Beckford was prevailed upon by —— to
" indulge them in the ridiculous parade of a
" popular procession through the city, and to
" give them the foolish pleasure of an imaginary
" consequence, for the real benefit only of the
" cooks and purveyors.

" It was the same motive which dictated the
" thanks of the city to lord Chatham; which
" were expressed to be given for his declaration
" in favour of *short parliaments*: in order there-
" by to fix lord Chatham at least to that
" one constitutional remedy, without which all
" others can afford no security. The embar-
" rassment no doubt was cruel. He had his
" choice either to offend the Rockingham party,

"who declared *formally* against short parliaments; and with the assistance of whose "numbers in both houses he must expect again "to be minister; or to give up the confidence "of the public, from whom finally all real consequence must proceed. Lord Chatham chose "the latter; and I will venture to say, that, by "his *answer* to those thanks, he has given up "the people without gaining the friendship or "cordial assistance of the Rockingham faction: "whose little politics are confined to the making of matches, and extending their family "connexions, and who think they gain more by "procuring one additional vote to their party in "the house of commons, than by adding their "landed property and feeble character to the "abilities of a *Chatham*, or the confidence of a "public.

"Whatever may be the event of the present "wretched state of politics in this country, the "principles of *Junius* will suit no form of government. They are not to be tolerated under any constitution. Personal enmity is a "motive fit only for the devil. Whoever or "whatever is sovereign, demands the respect "and support of the people. The union is "formed for their happiness, which cannot be "had without mutual respect; and he counsels

" maliciously, who would persuade either to a " wanton breach of it. When it is banished " by either party, and when every method has " been tried in vain to restore it, there is no re- " medy but a divorce: but even then he must " have a hard and a wicked heart indeed, who " punishes the greatest criminal merely for the " sake of the punishment; and who does not let " fall a tear for every drop of blood that is shed " in a public struggle, however just the quarrel.

" JOHN HORNE."

After a long pause, the following reply at length made its appearance.

" JUNIUS TO THE PRINTER OF THE PUBLIC " ADVERTISER.

August 15, 1771.

" SIR,

" I OUGHT to make an apology to the duke " of Grafton, for suffering any part of my at- " tention to be diverted from his grace to Mr. " Horne. I am not justified by the similarity " of their dispositions. Private vices, however " detestable, have not dignity sufficient to at- " tract the censure of the press, unless they are " united with the power of doing some signal " mischief to the community. — Mr. Horne's " situation does not correspond with his in-

" tentions. — In my own opinion, (which I " know, will be attributed to my usual vanity " and presumption,) his letter to me does not " deserve an answer. But I understand that the " public are not satisfied with my silence; — that " an answer is expected from me, and that if I " persist in refusing to plead, it will be taken for " conviction. I should be inconsistent with the " principles I profess, if I declined an appeal to " the good sense of the people, or did not wil- " lingly submit myself to the judgment of my " peers.

" If any coarse expressions have escaped me, " I am ready to agree that they are unfit for *Ju-* " *nius* to make use of; but I see no reason to " admit that they have been improperly ap- " plied.

" Mr. Horne, it seems, is unable to compre- " hend how an extreme want of conduct and " discretion can consist with the abilities I have " allowed him; nor can he conceive that a very " honest man, with a very good understanding, " may be deceived by a knave. His knowledge " of human nature must be limited indeed. Had " he never mixed with the world, one would " think that even his books might have taught " him better. Did he hear lord Mansfield, " when he defended his doctrine concerning

" libels? Or when he stated the law in pro-
" secutions for criminal conversation? Or
" when he delivered his reasons for calling
" the house of lords together to receive a
" copy of his charge to the jury in Woodfall's
" trial.

" Had he been present upon any of these oc-
" casions, he would have seen how possible it
" is for a man of the first talents to confound
" himself in absurdities, which would disgrace
" the lips of an idiot. Perhaps the example
" might have taught him not to value his own un-
" derstanding so highly. Lord Lyttelton's inte-
" grity and judgment are unquestionable; —
" yet he is known to admire that cunning
" Scotchman, and verily believes him an honest
" man. — I speak to facts, with which all of us
" are conversant. — I speak to men and to their
" experience, and will not descend to answer
" the little sneering sophistries of a collegian. —
" Distinguished talents are not necessarily con-
" nected with discretion. If there be any thing
" remarkable in the character of Mr. Horne, it
" is, that extreme want of judgment should be
" united with his very moderate capacity. Yet
" I have not forgotten the acknowledgment I
" made him. He owes it to my bounty: and
" though his letter has lowered him in my

" opinion, I scorn to retract the charitable do-
" nation.

" I said it would be *very difficult* for Mr.
" Horne to write directly in defence of a mini-
" sterial measure, and not to be detected; and
" even that difficulty I confined to *his* par-
" ticular situation. He changes the terms of
" the proposition, and supposes me to assert,
" that it would be *impossible* for *any* man to
" write for the newspapers, and not be dis-
" covered.

" He repeatedly affirms, or intimates at least,
" that he knows the author of these letters.
" With what colour of truth then can he pre-
" tend *that I am no where to be encountered but*
" *in a newspaper?* I shall leave him to his
" suspicions. It is not necessary that I should
" confide in the honour or discretion of a man,
" who already seems to hate me with as much
" rancour, as if I had formerly been his friend.
" But he asserts that he has traced me through
" a variety of signatures. To make the dis-
" covery of any importance to his purpose, he
" should have proved, either that the fictitious
" character of *Junius* has not been consistently
" supported, or that the author has maintained
" different principles under different signatures.
" I cannot recal to my memory the numberless

" trifles I have written; but I rely upon the " consciousness of my own integrity, and defy " him to fix any colourable charge of incon- " sistency upon me.

" I am not bound to assign the secret motives " of his apparent hatred of Mr. Wilkes: nor " does it follow that I may not judge fairly of " *his* conduct, though it were true *that I had no* " *conduct of my own.* Mr. Horne enlarges, with " rapture, upon the importance of his services; " the dreadful battles which he might have " been engaged in, and the dangers he has " escaped.

" In support of the formidable description, " he quotes verses without mercy. The gentle- " man deals in fiction, and naturally appeals to " the evidence of the poets. Taking him at his " word, he cannot but admit the superiority of " Mr. Wilkes in this line of service. On one " side, we see nothing but imaginary distresses. " On the other, we see real prosecutions; real " penalties; real imprisonment; life repeatedly " hazarded; and, at one moment, almost the " certainty of death. Thanks are undoubtedly " due to every man who does his duty in the " engagement; but it is the wounded soldier " who deserves the reward.

" I did not mean to deny that Mr. Horne had

" been an active partisan. It would defeat my " own purpose not to allow him a degree of " merit, which aggravates his guilt. The very " charge *of contributing his utmost efforts to* " *support a ministerial measure*, implies an ac- " knowledgment of his former services. If he " had not once been distinguished by his appa- " rent zeal in defence of the common cause, he " could not now be distinguished by deserting it. " As for myself, it is no longer a question *whe-* " *ther I shall mix with the crowd, and take a* " *single share in the danger*. Whenever *Junius* " appears, he must encounter an host of enemies. " But is there no honourable way to serve the " public, without engaging in personal quarrels " with insignificant individuals, or submitting " to the drudgery of canvassing votes for an " election? Is there no merit in dedicating my " life to the information of my fellow-subjects?— " What public question have I declined, what " villain have I spared?—Is there no labour in " the composition of these letters? Mr. Horne, " I fear, is partial to me, and measures the " facility of *my* writings by the fluency of his " own.

" He talks to us, in high terms, of the gallant " feats he would have performed, if he had lived " in the last century. The unhappy Charles

"could hardly have escaped him. But living "princes have a claim to his attachment and "respect. Upon these terms, there is no danger "in being a patriot. If he means any thing "more than pompous rhapsody, let us try how "well his argument holds together.—I presume "he is not yet so much a courtier, as to "affirm that the constitution has not been "grossly and daringly violated under the pre-"sent reign. He will not say, that the laws "have not been shamefully broken or perverted; "that the rights of the subject have not been "invaded, or that redress has not been repeatedly "solicited and refused.—Grievances like these "were the foundation of the rebellion in the "last century; and, if I understand Mr. Horne, "they would, at that period, have justified him "to his own mind, in deliberately attacking the "life of his sovereign. I shall not ask him to "what political constitution this doctrine can "be reconciled. But, at least, it is incumbent "upon him to show, that the present king has "better excuses, than Charles the First, for the "errors of his government. He ought to de-"monstrate to us that the constitution was bet-"ter understood a hundred years ago than it is "at present—that the legal rights of the sub-"ject, and the limits of the prerogative, were

" more accurately defined, and more clearly " comprehended. If propositions like these " cannot be fairly maintained, I do not see how " he can reconcile it to his conscience, and act " immediately with the same freedom with which " he speaks. I reverence the character of " Charles the First as little as Mr. Horne; but " I will not insult his misfortunes, by a compa- " rison that would degrade him.

" It is worth observing, by what gentle de- " grees the furious, persecuting zeal of Mr. " Horne has softened into moderation. Men " and measures were yesterday his object. What " pains did he once take to bring that great " state criminal, *Macquirk*, to execution!—To- " day he confines himself to measures only.— " No penal example is to be left to the succes- " sors of the duke of Grafton.—To-morrow, I " presume, both men and measures will be for- " given. The flaming patriot, who so lately " scorched us in the meridian, sinks temperately " in the west, and is hardly felt as he descends.

" I comprehend the policy of endeavouring to " communicate to Mr. Oliver and Mr. Sawbridge " a share in the reproaches, with which he sup- " poses me to have loaded him. My memory " fails me, if I have mentioned their names with " disrespect;—unless it be reproachful to ac-

" knowledge a sincere respect for the character " of Mr. Sawbridge, and not to have questioned " the innocence of Mr. Oliver's intentions.

" It seems I am a partisan of the great leader " of the opposition. If the charge had been a " reproach, it should have been better supported. " I did not intend to make a public declaration " of the respect I bear lord Chatham. I well " knew what unworthy conclusions would be " drawn from it. But I am called upon to de- " liver my opinion, and surely it is not in the " little censure of Mr. Horne to deter me from " doing signal justice to a man, who, I confess, " has grown upon my esteem. As for the com- " mon, sordid views of avarice, or any purpose " of vulgar ambition, I question whether the " applause of *Junius* would be of service to lord " Chatham. *My* vote will hardly recommend " him to an increase of his pension, or to a seat " in the cabinet. But if his ambition be upon a " level with his understanding;—if he judges of " what is truly honourable for himself, with the " same superior genius which animates and di- " rects him to eloquence in debate, to wisdom in " decision, even the pen of *Junius* shall contri- " bute to reward him. Recorded honours shall " gather round his monument, and thicken over " him. It is a solid fabric, and will support

" the laurels that adorn it.—I am not conver-
" sant in the language of panegyric.—These
" praises are extorted from me; but they will
" wear well, for they have been dearly earned.

" My detestation of the duke of Grafton is
" not founded upon his treachery to any indivi-
" dual: though I am willing enough to suppose
" that, in public affairs, it would be impossible
" to desert or betray lord Chatham, without
" doing an essential injury to this country. My
" abhorrence of the duke arises from an intimate
" knowledge of his character, and from a thorough
" conviction, that his baseness has been the
" cause of greater mischief to England, than
" even the unfortunate ambition of lord Bute.

" The shortening the duration of parliaments
" is a subject on which Mr. Horne cannot en-
" large too warmly; nor will I question his sin-
" cerity. If I did not profess the same senti-
" ments, I should be shamefully inconsistent
" with myself. It is unnecessary to bind lord
" Chatham by the written formality of an en-
" gagement. He has publicly declared himself
" a convert to triennial parliaments; and though
" I have long been convinced that this is the
" only possible resource we have left to preserve
" the substantial freedom of the constitution, I
" do not think we have a right to determine

" against the integrity of lord Rockingham or " his friends. Other measures may undoubtedly " be supported in argument, as better adapted " to the disorder, or more likely to be obtained.

" Mr. Horne is well assured, that I never was " the champion of Mr. Wilkes. But though I " am not obliged to answer for the firmness of " his future adherence to the principles he pro- " fesses, I have no reason to presume that he " will hereafter disgrace them. As for all those " imaginary cases, which Mr. Horne so petu- " lantly urges against me, I have one plain, " honest answer to make to him.—Whenever " Mr. Wilkes shall be convicted of soliciting a " pension, an embassy, or a government, he " must depart from that situation, and renounce " that character, which he assumes at present, " and which, in *my* opinion, entitle him to the " support of the public. By the same act, and " at the same moment, he will forfeit his power " of mortifying the king; and though he can " never be a favourite at St. James's, his base- " ness may administer a solid satisfaction to the " royal mind. The man I speak of has not a " heart to feel for the frailties of his fellow- " creatures. It is their virtues that afflict, it is " their vices that console him.

" I give every possible advantage to Mr.

" Horne, when I take the facts he refers to for " granted. That they are the produce of his in- " vention, seems highly probable; that they are " exaggerated, I have no doubt. At the worst, " what do they amount to, but that Mr. Wilkes, " who never was thought of as a perfect pattern " of morality, has not been at all times proof " against the extremity of distress? How shame- " ful is it, in a man who has lived in friendship " with him, to reproach him with failings too " naturally connected with despair! Is no allow- " ance to be made for banishment and ruin? " Does a two-years' imprisonment make no " atonement for his crimes?—The resentment of " a priest is implacable. No sufferings can " soften, no penitence can appease him.—Yet " he himself, I think, upon his own system, has " a multitude of political offences to atone for. " I will not insist upon the nauseous detail, " with which he has so long disgusted the " public. He seems to be ashamed of it. But " what excuse will he make to the friends of the " constitution for labouring to promote *this con-* " *summately bad man* to a station of the highest " national trust and importance? Upon what " honourable motives did he recommend him to " the livery of London for their representative;— " to the ward of Farringdon for their alderman;

" —to the county of Middlesex for their knight?
" will he affirm that, at that time, he was igno-
" rant of Mr. Wilkes's solicitations to the mi-
" nistry?—That he should say so, is indeed
" very necessary for his own justification;
" but where will he find credulity to believe
" him?

" In what school this gentleman learned his
" ethics I know not. His *logic* seems to have
" been studied under Mr. Dyson. That mi-
" serable pamphleteer, by dividing the only pre-
" cedent in point, and taking as much of it as
" suited his purpose, had reduced his argument
" upon the Middlesex election to something
" like the shape of a syllogism. Mr. Horne has
" conducted himself with the same ingenuity
" and candour. I have affirmed that Mr. Wilkes
" would preserve the public favour, ' as long as
" he stood forth against a ministry and parlia-
" ment, who were doing every thing they could
" to enslave the country, *and* as long as he was
" a thorn in the king's side.' Yet, from the
" exulting triumph of Mr. Horne's reply, one
" would think that I had rested my expectation,
" that Mr. Wilkes would be supported by the
" public, upon the single condition of his mor-
" tifying the king. This may be logic at Cam-
" bridge, or at the Treasury; but among men of

" sense and honour, it is folly or villany in the " extreme.

" I see the pitiful advantage he has taken of " a single unguarded expression, in a letter not " intended for the public. Yet it is only the " *expression* that is unguarded. I adhere to the " true meaning of that member of the sentence, " taken separately as *he* takes it, and now, upon " the coolest deliberation, re-assert that, for the " purposes I referred to, it may be highly meri- " torious to the public to wound the personal " feelings of the sovereign. It is not a general " proposition, nor is it generally applied to the " chief magistrate of this, or any other consti- " tution. Mr. Horne knows, as well as I do, " that the best of princes is not displeased with " the abuse which he sees thrown upon his " ostensible ministers. It makes them, I pre- " sume, more properly the objects of his royal " compassion;—neither does it escape his saga- " city, that the lower they are degraded in the " public esteem, the more submissively they " must depend upon his favour for protection. " This, I affirm, upon the most solemn convic- " tion, and the most certain knowledge, is a " leading maxim in the policy of the closet. " It is unnecessary to pursue the argument any " farther.

" Mr. Horne is now a very loyal subject. He " laments the wretched state of politics in this " country, and sees in a new light the weakness " and folly of the opposition. *Whoever or what-* " *ever is sovereign, demands the respect and sup-* " *port of the people:*—it was not so, *when Nero* " *fiddled while Rome was burning.* Our gracious " sovereign has had wonderful success, in creat- " ing new attachments *to his person and family.* " He owes it, I presume, to the regular system " he has pursued in the mystery of conversion. " He began with an experiment upon the Scotch, " and concludes with converting Mr. Horne.— " What a pity it is, that the *Jews* should be " condemned by Providence to wait for a Mes- " siah of their own.

" The priesthood are accused of misinterpret- " ing the scriptures. Mr. Horne has improved " upon his profession. He alters the text, and " creates a refutable doctrine of his own. Such " artifices cannot long delude the understanding " of the people; and, without meaning an in- " decent comparison, I may venture to foretel, " that the Bible and *Junius* will be read, when " the commentaries of the Jesuits are forgotten.

" JUNIUS*."

* This writer seems to have piqued himself not a little on

"THE REV. JOHN HORNE TO JUNIUS.

"*August* 17, 1771.

"I CONGRATULATE you, sir, on the re-
"covery of your wonted style, though it has
"cost you a fortnight. I compassionate your
"labour in the composition of your letters, and
"will communicate to you the secret of my
"fluency. Truth needs no ornament; and, in
"my opinion, what she borrows of the pencil is
"deformity.

"You brought a positive charge against me
"of corruption. I denied the charge, and
"called for your proofs. You replied with
"abuse, and re-asserted your charge. I called
"again for proofs. You reply again with abuse
"only, and drop your accusation. In your
"fortnight's letter there is not one word upon
"the subject of my corruption.

"I have no more to say, but to return thanks

this letter, for in a private note to Mr. Woodfall, dated August 13, 1771, he observes, "If Mr. Horne answers this letter handsomely and in point, he shall be my great Apollo."

Junius, indeed, alludes to Mr. Horne, in the course of his writings, but he never after this addressed any letter to him.

" to you for your *condescension,* and to a *grateful* " public and *honest* ministry for all the favours " they have conferred upon me. The two latter, " I am sure, will never refuse me any grace I " shall solicit: and since you have been pleased " to acknowledge that you told a deliberate lie " in my favour out of bounty, and as a chari- " table donation, why may I not expect that " you will hereafter (if you do not forget you " ever mentioned my name with disrespect) " make the same acknowledgment for what " you have said in my prejudice?—This second " recantation will perhaps be more abhorrent " from your disposition; but should you decline " it, you will only afford one more instance " how much easier it is to be generous than " just, and that men are sometimes bountiful " who are not honest.

" At all events I am as well satisfied with " your panegyric as lord Chatham can be. Mo- " nument I shall have none; but over my grave " it will be said, in your own words, 'Horne's " situation did not correspond with his inten- " tions.'

" JOHN HORNE."

Whoever carefully and impartially peruses the foregoing correspondence must acknowledge

Mr. Horne to be the victor. Indeed, Junius was so conscious of his superiority, that in his anxiety to quit the contest, he addresses his last letter to the printer, and leaves his adversary wholly unanswered. Nay, such was the deference he now paid, to a man to whom he scarcely deigned at first to give a reply, that in consequence of his antagonist "having circulated a report, that Junius had warmly declared himself in favour of long parliaments and rotten boroughs," he immediately pronounced an opinion in behalf of a triennial representation, coupled with the addition of a hundred knights of the shire, as may be seen from the following declaration.

"The reverend Mr. John Horne, having, with his usual veracity and honest industry, circulated a report that Junius, in a letter to the 'Supporters of the Bill of Rights,' had warmly declared himself in favour of long parliaments and rotten boroughs, it is thought necessary to submit to the public the following extract from his letter to John Wilkes, esq., dated the 7th of September, 1771, and laid before the society on the 24th of the same month.

"With regard to the several articles, taken separately, I own I am concerned to see that the great condition, which ought to be the *sine*

quâ non of parliamentary qualification—which ought to be the basis (as it assuredly will be the only support) of every barrier raised in defence of the constitution, I mean a declaration upon oath to shorten the duration of parliaments, is reduced to the fourth rank in the esteem of the society; and, even in that place, far from being insisted on with firmness and vehemence, seems to have been particularly slighted in the expression—'You shall endeavour to restore annual parliaments!'—Are these the terms, which men, who are in earnest, make use of, when the *salus reipublicæ* is at stake?

"I expected other language from Mr. Wilkes.—Besides my objection in point of form, I disapprove highly of the meaning of the fourth article as it stands. Whenever the question shall be seriously agitated, I will endeavour (and if I live will assuredly attempt it) to convince the English nation, by arguments, to my understanding unanswerable, that they ought to insist upon a triennial, and banish the idea of an annual parliament. . . . . I am convinced, that, if shortening the duration of parliaments (which in effect is keeping the representative under the rod of the constituent) be not made the basis of our new parliamentary jurisprudence, other checks or improvements signify nothing.

On the contrary, if this be made the foundation, other measures may come in aid, and, as auxiliaries, be of considerable advantage.

"Lord Chatham's project, for instance, of increasing the number of knights of shires, appears to me admirable. . . . . As to cutting away the rotten boroughs, I am as much offended as any man at seeing so many of them under the direct influence of the crown, or at the disposal of private persons. Yet, I own, I have both doubts and apprehensions, in regard to the remedy you propose. I shall be charged, perhaps, with an unusual want of political intrepidity, when I honestly confess to you that I am startled at the idea of so extensive an amputation.—In the first place, I question the power, *de jure*, of the legislature to disfranchise a number of boroughs, upon the general ground of improving the constitution. There cannot be a doctrine more fatal to the liberty and property we are contending for, than that which confounds the idea of a supreme and an arbitrary legislature. I need not point out to you the fatal purposes to which it has been and may be applied. If we are sincere in the political creed we profess, there are many things which we ought to affirm cannot be done by king, lords, and commons.

"Among these I reckon the disfranchising of

boroughs with a general view of improvement. I consider it as equivalent to robbing the parties concerned of their freehold, of their birthright. I say that, although this birthright may be forfeited, or the exercise of it suspended in particular cases, it cannot be taken away, by a general law for any real or pretended purpose of improving the constitution. Supposing the attempt made, I am persuaded you cannot mean that either king or lords should take an active part in it. A bill, which only touches the representation of the people must originate in the house of commons.

"In the formation and mode of passing it, the exclusive right of the commons must be asserted as scrupulously as in the case of a money-bill. Now, sir, I should be glad to know by what kind of reasoning it can be proved, that there is a power vested in the representative to destroy his immediate constituent. From whence could he possibly derive it? A courtier, I know, will be ready to maintain the affirmative. The doctrine suits him exactly, because it gives an unlimited operation to the influence of the crown. But we, Mr. Wilkes, ought to hold a different language. It is no answer to me to say, that the bill, when it passes the house of commons, is the act of the majority, and not the

representatives of the particular boroughs concerned. If the majority can disfranchise ten boroughs, why not twenty, why not the whole kingdom? Why should not they make their own seats in parliament for life? When the septennial act passed, the legislature did what, apparently and palpably, they had no power to do; but they did more than people in general were aware of: they in effect disfranchised the whole kingdom for four years.

"For argument's sake, I will now suppose, that the expediency of the measure and the power of parliament are unquestionable. Still you will find an insurmountable difficulty in the execution. When all your instruments of amputation are prepared, when the unhappy patient lies bound at your feet, without the possibility of resistance, by what infallible rule will you direct the operation? When you propose to cut away the rotten parts, can you tell us what parts are perfectly sound? Are there any certain limits, in fact or theory, to inform you at what point you must stop, at what point the mortification ends? To a man so capable of observation and reflection as you are, it is unnecessary to say all that might be said upon the subject.

"Besides, that I approve highly of lord Chat-

ham's idea of infusing a portion of new health into the constitution, to enable it to bear its infirmities, (a brilliant expression, and full of intrinsic wisdom,) other reasons concur in persuading me to adopt it. I have no objection, &c. . . . . .

"The man who fairly and completely answers this argument, shall have my thanks and my applause. My heart is already with him. — I am ready to be converted. — I admire his morality, and would gladly subscribe to the articles of his faith. — Grateful, as I am, to the Good Being, whose bounty has imparted to me this reasoning intellect, whatever it is, I hold myself proportionably indebted to him, from whose enlightened understanding another ray of knowledge communicates to mine.

"But neither should I think the most exalted faculties of the human mind, a gift worthy of divinity; nor any assistance, in the improvement of them, a subject of gratitude to my fellow-creature, if I were not satisfied, that really to inform the understanding, corrects and enlarges the heart.

"JUNIUS."

To this letter, Mr. Horne shortly but forcibly replied, by means of a speech pronounced be-

fore the "Society for supporting the Bill of Rights," in which he ridiculed the pretended patriotism of this celebrated writer, and questioned the tendency of all his positions. He endeavoured, at the same time, to expose him as the "pander of corruption;" and "to deprecate the malevolent effects of that eloquence, the open and declared object of which seemed to be confined to the support of ministerial abuses, and an apology for rotten boroughs!"

But, notwithstanding Junius failed in this controversy, yet the letters under this signature are the composition of no vulgar hand. Although apparently plain, easy, and perspicuous, they are elaborate as to composition, and have served as models, in point of elegance, to the present age. If not a practical lawyer, the author was at least deeply versed in the principles of our constitution: he must have frequented the best company, as he was well acquainted with all the occurrences of high life; and that he could be argumentative as well as eloquent, is evident from his very able attacks on sir William Blackstone and lord Mansfield.

In respect to the party espoused by him, he appears occasionally to have supported the whole body of the opposition, although his praises are bestowed with considerable modesty and seem-

ing reluctance. Yet, on one occasion *, he commends the earl of Shelburne, by implication, for his spirited intervention in behalf of Corsica; and on another †, he readily bears witness to the "proud, imposing superiority of lord Chatham's abilities; the shrewd inflexible judgment of Mr. Grenville, and the mild, but determined integrity of lord Rockingham."

As to the precise person, it is far more easy to prove who was not, than to point out who was the author. From his dedication, it would appear, that he was a native of Great Britain. This, if meant to be taken literally, must reduce the candidates to a small number. I have lately learned, however, from a governor-general of India, who is himself a scholar and a man of letters, that the late Mr. Walter Boyd solemnly asserted in his house, a little before his death, that the correspondence, under the name of Junius, was not the solitary effort of a single individual, but of many men of talents, and that he himself acted as editor. I have good reason to suppose, that the late duke of Grafton attributed the whole to the pen of "single-speech Hamilton;" and I have been assured, more than

* Letter xii, to his grace the duke of Grafton, May 30, 1769.

† Letter xv, dated July 8, 1769.

once, by the subject of this memoir, that he absolutely *knew* the author. To another gentleman, he lately added, "that he was still alive."

It must be owned, however, that this information tends but little to gratify public curiosity; on the contrary, it only serves to puzzle speculation and render conjecture more vague and more ineffectual.

CHAPTER IX.

FROM 1772 TO 1777.

Mr. Horne resigns his Gown, and retires to a Cottage—His Studies — Contests with the House of Commons — Tried for a Libel.— Characters of Mr. Thurlow and Lord Mansfield.—Sentence of the Court of King's Bench.

WE have thus beheld Mr. Horne busily occupied in all the various political contests of this period. There seemed to be no end to his labours; one controversy gave birth to another; and the triumph over a single foe, produced a dozen of new combatants.

Meanwhile, the current of existence glided on apace, varied from day to day, and from year to year, by the professional duties attached to his chapelry and the occurrences of the times, in which he continued, as usual, to take an active and conspicuous share. But he had now attained a period of life, when prudent men are carrying their

theories into practice, and completing the outline, which they have sketched out for themselves at an earlier period. The age of thirty-seven, if it still possesses something of the bloom of youth, at the same time generally exhibits somewhat of the sobriety of senility; and yet, strange as it may appear, at that advanced period, Mr. Horne had actually a profession to look for. True, he had been bred to the church, and still possessed a living; but the duties were not sufficiently numerous to occupy his attention, or the revenues so extensive, as to prove fully equal even to his very moderate habits of expense. By the publication of his letter from Montpelier, all hopes of professional preferment were cut off, while, at the same time, he had rendered himself one of the most marked men in the kingdom, by his recent controversy with Mr. Wilkes. A consciousness of the injustice resulting from this latter circumstance, perhaps, might in some measure have soured his temper, and rendered him but little desirous of the applause of the multitude during the remainder of a long life.

But, if Mr. Wilkes and his partisans had, at this period, fairly *cried him down*, by the same arts they had practised with equal success against three successive administrations, there

were not wanting a number of friends, attached to him from principle, zealous for his interests, and eager to serve him. These, conscious of his great and commanding talents, were of opinion, that all now wanting for complete success, was a theatre in which they might be exhibited to advantage; and that this theatre, was the Forum, in which, like the great orators of ancient Rome, and the great lawyers of modern England, he might be able to advocate the cause of a numerous body of clients, and aspire to the first honours of the state. Accordingly, both his father and mother being now dead, so that he was no longer withheld by those filial ties, to which every ingenuous mind will pay due attention, he, at length, yielded to the whisperings of ambition, and the solicitations of a number of respectable men. That he might not be unprovided with the means of carrying his plans into effect, four of his friends, among whom were two members of parliament *, agreed to present him, until called to the bar, with joint bonds for four hundred a year, which he received most gratefully, but never asked for, and never received a single shilling of this annuity during the whole course of his life.

* Mr. Sawbridge and Mr. Townsend.

Having thus finally made up his mind to become a lawyer, he immediately determined to quit the church, fairly supposing, with the rest of mankind, that there was nothing indelible in this profession that could possibly preclude him from becoming once more a layman, whenever he was so disposed. Accordingly, in 1773, he resigned his living of New Brentford with the usual formalities, and was succeeded by the reverend John Francis Randall, M. A.

Immediately after this, he hired a house in the immediate vicinity, situate in Windmill Lane. Here, at an age, that only wanted thirteen years of completing half a century, he commenced life anew, when others talk of retirement; and, having now abandoned one profession, he began, in good earnest, to qualify himself for another. Mr. Horne carried with him into his closet a variety of qualifications, which few other men ever possess; a thorough knowledge of the world and of mankind; a competent acquaintance with the classical languages; a body fitted by nature for laborious study; a mind highly gifted, and enriched with various attainments. In addition to these, he always evinced a wonderful degree of personal intrepidity, coupled with a consciousness of, and a perfect reliance on his own talents, together with

an intimate acquaintance with the labours of some of the greatest English lawyers. Of these, he chiefly valued lord chief justice Coke, the learned expounder of the works of Lyttleton, and himself an authority of the first magnitude: a judge, the former part of whose life was indeed somewhat tarnished by servility; but let it be recollected, that, in the same age, his rival, the illustrious Bacon, condescended to act the part of a sycophant; and that, while the latter slunk into the grave, with his ermined robe tarnished by corruption, the former, resuming his natural independence, eminently distinguished himself as a jurist and a legislator.

It was here, too, that the ex-minister of New Brentford instituted a strict inquiry into his own affairs, and determined to begin his new career, where most men generally end. He had often, like other reformers, preached up that doctrine to the state, which they themselves do not always practise in respect to their own domestic concerns; to balance income by expenditure, and thus husband their resources with a view of meeting the pressure of future exigencies. He now became a severe economist; paid all his bills every Monday morning; audited his accounts with all the circumspection of a master in chancery; and projected a variety of useful improvements

in the management of his little household for the ensuing week! On this subject I have been told a little anecdote, by a near relation, which may be deemed far too minute by those who can consider any occurrence trivial, that appertains to an original character, or any thing mean and pitiful, which is connected with independence. Perceiving, that in the charges brought against him by his cook, who appears to have been, at the same time, his housekeeper, he was continually puzzled with the articles of "greens," "cabbages," "cauliflowers," and "sallads," which had their usual accompaniments of "oil," "vinegar," "mustard," "pepper," and "salt;" he determined to curtail these, partly to save himself the trouble of summing up their amount, and partly for the purpose of living within his means of subsistence. He accordingly gave instructions to diminish the quantity of garden stuff, which, according to appearances, would have proved sufficient to feed an elephant. This injunction was obeyed with seeming readiness for a few days; but, after the lapse of some time, Molly's former charges, in the shape and form of pot-hooks and hangers, began to recur as usual. On this, he restrained these delicacies of the table to Sundays; but, finding that other days also began to be con-

sidered as festivals, he called up this domestic, and, with his usual gravity, assured her, "that he had made a most *sacred vow*, neither to eat, nor admit at his table, of any vegetables whatsoever, produced within five miles of Brentford." On this, the most implicit submission was ever after paid to his commands, as the servant, who had been cheating him without remorse, became immediately terrified at the idea of being implicated in any thing seemingly connected with the solemnities of religion.

It was in this peaceful retreat also, that Mr. Horne addicted himself to those studies, whence he afterwards derived so much reputation. His philological pursuits, indeed, commenced at the university, but it was here, that he arranged his papers, supplied chasms, enlarged his plan, and laid the foundations of his future work on the English language.

While Mr. Horne was thus occupied, he was suddenly called from his literary and legal labours, by the voice of friendship; and his assistance was not invoked in vain; for we shall now behold him, on a critical and delicate occasion, acting on his own original plan, and effecting his purpose, in a manner and by means peculiar to himself.

Mr. William Tooke, a man of considerable

fortune, with whom he had been long intimate, and who, during his controversy with Mr. Wilkes, had borne public testimony to his honour and integrity, had purchased the estate of Purley, situate near Godstone, in the county of Surrey. This circumstance had given birth to many disputes with Mr. De Grey, a neighbouring gentleman, of great influence, whose lands joined, and who, as lord of the manor, claimed a paramount jurisdiction over certain parts of his newly acquired property. They had contended, in the courts of law, about fish-ponds and common-rights; and an attempt was now made, by means of an act of parliament, to settle the dispute for ever. Accordingly, on Tuesday the 10th of February, 1774, a bill was brought in by sir Edward Astley, to enable Thomas De Grey, esq., to enclose several common lands and fields, in the counties of Norfolk and Surrey. Mr. alderman Sawbridge immediately presented a petition from W. Tooke, esq., requesting delay, on the ground that the usual notice had not been given to the inhabitants, and that the inclosures in question, so far as regarded the county of Surrey, would prove highly prejudicial both to them and himself. It was also added, that to pass this bill, while the title to part of the lands was still in litigation, would be inde-

cent and unprecedented, being highly detrimental to the interests of the petitioner and others. This request, however, was not complied with; for the bill was ordered to be read again, on an early day; and an intention was plainly evinced of precipitating it through its various stages.

It was in this dilemma, that Mr. Tooke applied to Mr. Horne, and earnestly entreated him to interpose. He stated "his character as well as fortune to be at stake, and hoped, that, under the colour of an inclosure bill, he would not be deprived of a large portion of his estate, which was chiefly valuable on account of his right to fatten sheep on the neighbouring downs."

Mr. Horne, from whom I learned these particulars, immediately replied, "that the mode of procedure was easy and expeditious; for the court of parliament, like all other courts, was governed by certain known rules; and that as these rules, in both cases, were always obviously beneficial to the subject: — nothing could be more easy than to proceed by way of petition, stating certain facts, whence specific grievances were to be inferred, and ending with a prayer, to be heard by counsel against the bill."

"All this has been already done without effect: we have been accused of dilatoriness and neglect; our prayer is refused; to-morrow is

assigned for the last reading of the bill, which will be carried *nem. con.*, as I have nobody to support me; and I shall be still more hurt in mind than in fortune; for, in addition to the injustice of the measure, my pride is deeply interested."

"I understand you; you have been wanting in regard to the *forms* of the house; your case is desperate; and, there being no hopes, you prefer a quack to a regular physician, and so have come to me. As to the justice of your own cause, and the consequent injustice of that of your opponent, this is the usual language of all litigants, on both sides of every question, both legal and political: it is but fair, however, that time should be given to inquire into particulars, and see whether, in reality, this roll of parchment, of which you complain, and which will be omnipotent in your case, when sanctioned by the authority of king, lords, and commons, will, in reality, rob you of the chief advantages you hope to derive from your possessions at Purley. I have a plan in my mind for your relief, which, if it meets your approbation, &c. . . . . ."

"Any thing you may be pleased to suggest, will most assuredly meet my entire approbation. —You have a plan, you say?—This is sufficient; I already anticipate my triumph! . . . . ."

Mr. Horne, on this, communicated his project, which he frankly confessed to be a desperate one, yet it was the only feasible mode, he could possibly recommend. "It is absolutely necessary, in this case," he observed, "by some public act, to excite the attention of the house to the object, and of the public to the house; and, if the facts have been correctly stated to me, the bill shall not pass. To accomplish this end, I intend," added he, "to begin by writing a libel on the speaker."

"A libel on such a man as sir Fletcher Norton?"

"Yes, precisely on him; for I well know, that inquiry will then be made, and that he will not sanctify a dishonest act: as for the consequences, I am well aware of, and take them all upon myself."

Mr. Tooke having again signified his cordial cooperation and assent, Mr. Horne sat down, and in an address, consisting of a few spirited paragraphs, drawn up in the form of a letter, signed "Strike but Hear!" detailed the leading facts. In the course of this composition, he also endeavoured to render the whole as *offensive* as possible. This was inserted, as had been planned, in the Public Advertiser of next day; and, as that was a paper in the hands of all parties, it occasioned no small degree of specu-

lation. The boldness of the assertions, the terseness of the remarks, and the ability of the general statement, attracted the notice of every one, while the outraged dignity of the house, and the impending fate of the printer, served to excite general curiosity. In the evening, both the house and gallery were full; and soon after the speaker took the chair, the newspaper just mentioned was handed up to him. Instead of proceeding, as usual, with the order of the day, which comprehended the inclosure bill in question, there was a general cry of privilege! privilege! move! move!

On this, a member arose, and, after descanting in fluent language on the consequence of preserving the rights and privileges of the commons' house of parliament, read "the odious, deliberate, false, scandalous, and malicious attack," which had been made on their rights and privileges. Amidst loud and frequent cheering, he very properly stated, that a libel on the speaker was a libel on the whole body of the commons of England; and concluded with a motion, in the usual form, "that Henry Sampson Woodfall, printer of the Public Advertiser, do attend at the bar of that house on the succeeding day." Accordingly, the order being served in due form, he appeared, and was introduced with the usual

ceremonial; when, being interrogated as to particulars, he allowed, "that he had received and printed the letter, concluding with the words, 'strike but hear;' and that he was then, and is now, fully authorized by the author himself, to give up his name and place of abode." The speaker then having desired him to proceed, he said "it was Mr. John Horne, who was, at that very moment in the gallery, ready to answer for himself."

The name and talents of the offender, the avowal of the act, his presence, and his known intrepidity, were all calculated to produce a certain degree of astonishment; and sir Fletcher Norton, who then so ably filled the chair, is said to have observed to a member in a whisper, "that he was astonished what he could have done to produce the enmity of a man of such abilities!"

As the supposed culprit was hated by all parties, it was matter of no small triumph, that this literary Sampson had delivered himself up, seemingly bound hand and foot, to the Philistines: moderate men were astonished at his indiscretion, while others were anxious for his immediate punishment; but those, who had determined to carry through the inclosure bill, already trembled for its fate: they knew that this

action, rash as it might seem, was connected with that measure; and they already anticipated that the issue would prove unfavourable.

Amidst this conflict of passions, Mr. Horne was ordered to the bar, where, in an able speech, in the course of which, all disrespect, either personal or official, to the speaker, was deprecated, he fully declared his motives; and frankly owned, that he had been urged beyond the usual bounds of discretion by hatred to oppression, on one hand, and zeal for his friend on the other.

After a long debate, he was remanded from the bar, in custody of the serjeant at arms, and brought up again on the 17th, by which period some additional evidence had been obtained. On this occasion, his friend Mr. Dunning, together with Mr. Burke, made use of their good offices; and, as the proof was inconclusive, he was discharged on paying his fees. This, he was accustomed then, and ever after, to term a great hardship, as it had long before been enacted, that no jailor should demand fees of a prisoner detained upon an accusation which had not been fully substantiated by conviction.

Be that as it may, he fully effected his purpose. Time had been now given for the house

to pause. The necessary measures were adopted to stop the further progress of the bill; and the advocates for it being heartily ashamed, all the obnoxious clauses were either omitted or withdrawn. On this, as on most other occasions, the nation at large profited by the exertions of this spirited individual; for Mr. Dodswell immediately moved and carried several resolutions, now on the journals, to prevent all such precipitate proceedings for the future.

It was thus, by the exercise of his talents, the sacrifice of his personal liberty, and at the risk of the utmost vengeance a house of commons could inflict, that the subject of this memoir rendered himself eminently useful to Mr. Tooke; and that gentleman, not content with the warmest expressions of gratitude and esteem, appears from this moment to have singled him out as the heir to the fortune, which he had preserved entire by his skill and intrepidity.

Mr. Horne now retired once more to his peaceful retreat, in the vicinity of Old Brentford, where he applied himself assiduously to the study of the law, and had already qualified himself for the bar, when the rumour of an approaching contest with the colonies discomposed his slumbers, suspended his labours, and, by rendering

him once more a politician and a patriot, finally precluded all hopes of advancement in his new career.

The year 1775 was ushered in with an event big with the most ruinous consequences; for the black and portentous cloud, which had so long hovered above the trans-atlantic horizon, suddenly burst, and spread death, desolation, and dismay around. But little delicacy is now required, while treating of an incident attended with such calamitous effects to the peace and prosperity of the empire, as the colonial war, in the condemnation of which all parties seem at length to have most cordially concurred. While some were still perplexed with doubts, and others bewildered in deliberation, Mr. Horne, in the boldest and most decisive manner, declared his hostility to those measures, which led to the fatal contest with America, and, not content with enjoying his own opinions in secrecy and in silence, he determined to try if it were possible to arouse the nation at large to a signal manifestation of its indignation and displeasure. It was his decided opinion, that some public mark of disapprobation, would either wholly prevent the war, or at least shorten its duration; and, in either case, great and lasting advantages must accrue to his native country.

This gentleman had ever maintained, that, according to the acknowledged principles of the English constitution, taxation and representation were terms relative and inseparable from each other. This doctrine, which seems to be closely interwoven with the texture of our ancient gothic polity, is fully substantiated by facts, as well as by analogy. It has been acted upon, in two memorable instances, both of which have proved highly salutary and beneficial to the empire: the union with Scotland and Ireland. Soon after the annexation of Wales, that country, also, was empowered to send knights, citizens, and burgesses to parliament; and there is a remarkable document still in existence, that serves to demonstrate the universality of the position, even when applied to transmarine dominions, recently obtained by conquest: for a writ was issued during the first year of the reign of Edward VI, enjoining the inhabitants to return a member for the town of Calais *.

* "Edwardus Sextus Dei gratia, &c. dilectis et fidelibus subjectis deputato et consilio villæ suæ Calisiæ salutem, &c."

The return to the writ was:

"Per assensum et consensum totius comitatis villæ vestræ Calisiæ predictæ et Marchiarum ejusdem unum hominem de malioribus et discretioribus villæ vestræ Calisiæ predictæ

Considering the colonies as not only aggrieved, but outraged, Mr. Horne was the first to sound the trumpet of alarm; and, in this respect, was but the precursor of many of our most celebrated patriots, orators, and statesmen; for he only anticipated the sentiments of a Saville, respectable alike for his talents and his virtues; of a Rockingham, mild, but resolute, surrounded with riches and honours, yet firmly attached to the liberties of his country and the interests of his fellow men; of a Richmond, bold, contentious, persevering, and as yet unaltered by the possession of power; of a Shelburne, acute, subtle, ingenious, fraught with the maxims of experience, and replete with political information. This powerful band was rendered illustrious, by the still venerated name of William Pitt, earl of Chatham, then fast descending to his grave; while it received new vigor, from the accession of another William Pitt, already exhibiting a precocious genius, and just blooming into manhood; of a Fox, suddenly rising above the prejudices of family, as well as of education; and, lastly, of a Burke, eloquent, metaphysical, didactic; but lately rescued from

elegi fecimus, videlicet Thomam Fowler dictæ villæ vestræ, generorum ad assendendum burgensem ad parliamentum vestrum," &c.

unmerited obscurity by the head of the house of Wentworth, and who, even now, began, in bold and energetic language, to invoke, not only the curses of the nation, but the vengeance of the Deity, on the authors, advisers, and instigators of this impolitic contest.

Such were the men with whom the subject of these memoirs united in opinion, on the present occasion, and might have acted without a blush; but he had for some time kept aloof from all parliamentary connexions, and he was now fated to prove by example how difficult it is for a single individual, to maintain a solitary independence, even in a free country. Singular on all occasions, he appears to have been the only public man of that day, who was punished for opposition to the war with America; and, what can only arise from the genius and nature of our government, he was crushed between two contending parties, by one of which he happened to be hated, and by the other disowned.

It has already been observed that, on the dissolution of the association for maintaining the "Bill of Rights," in consequence of the dispute about Mr. Wilkes, another was soon after formed, under the denomination of the "Society for Constitutional Information;" and it was determined by Mr. Horne, that this should

serve as an engine, to express fully, loudly, and energetically, the detestation of himself, his friends, and, if possible, the whole nation, at the measures then adopted, for subjugating the refractory colonies.

Accordingly, as a skirmish had occurred, during which several Americans were killed, he proposed, at the next meeting, that a subscription should be raised "for the relief of the widows, and orphans, and aged parents, of our American fellow-subjects, murdered by the king's troops at Lexington and Concord*, doubtless

* "*King's Arms Tavern, Cornhill, June* 7, 1775.

"At a special meeting, this day, of several members of the "Constitutional Society, during an adjournment, a gentle- "man proposed that a subscription should be immediately "entered into (by such of the members present who might "approve the purpose) for raising the sum of one hundred "pounds, to be applied to the relief of the widows, orphans, "and aged parents, of our beloved American fellow-sub- "jects, who, faithful to the character of *Englishmen*, pre- "ferring death to slavery, were, for that reason only, inhu- "manly murdered by the king's troops at or near Lexington "and Concord, in the province of Massachussets, on the "19th of last April; which sum being immediately col- "lected, it was thereupon resolved, 'That Mr. Horne do "pay to-morrow, into the hands of Messrs. Brownes and "Collinson, on account of Dr. Franklin, the said sum of one "hundred pounds; and that Dr. Franklin be requested to "apply the same to the above-mentioned purpose.'

"JOHN HORNE."

A stranger, who was afterwards discovered to be sir Ste-

hoping, that if this measure should become general, the ministers would be rendered unable to proceed in their impolitic, and, as it afterwards proved, fatal career. The motion being put and carried, and the sum of one hundred pounds agreed to be advanced out of the stock-purse; nothing now remained but the usual ceremonial of affixing the name of the chairman to the advertisement; but this was declined by the gentleman who then officiated in that capacity, and, although most, if not all, approved the proposal, no one present seemed desirous to take upon himself the responsibility annexed to such a strong measure. On this, Mr. Horne, ever foremost in the hour of danger, immedi-

phen Theodore Jansen, having, soon after, transmitted a sum of money, by way of subscription, in aid of this object, Mr. Horne published the following note, in the "Public Advertiser," on the 8th of July:—

"I think proper to give the unknown contributor this notice, that I did, yesterday, pay to Messrs. Brownes and Collinson, on the account of Dr. Franklin, the sum of fifty pounds, and that I will write to Dr. Franklin, requesting him to apply the same to the 'relief of the widows, orphans, and aged parents, of our beloved American fellow-subjects, who, faithful to the character of Englishmen, preferring death to slavery, were, for that reason only, inhumanly murdered, by the king's troops, at or near Lexington and Concord, in the province of Massachussets, on the 19th of last April.'

"JOHN HORNE."

ately snatched up a pen, and completed the act, by adding his own signature; after which the resolution was immediately transmitted to several newspapers for insertion.

The appearance of such a document of course excited considerable surprise and astonishment, and it is really amazing how any government could have remained quiet, even for a single day, after such an offensive publication. However, it was deemed more eligible, at present, to overlook the transgression, and suffer this measure to fall into oblivion: for, as yet, the Americans could not be said, with any degree of propriety, to have *rebelled* against the authority of the mother country. True it is, that both houses of parliament had addressed his majesty, on the present state of the British colonies in America, and the commons had stated, Feb. 6, 1775: "that a part of his majesty's subjects, in the province of the Massachusset's Bay, have proceeded so far as to resist the authority of the supreme legislature, and that a *rebellion* at this time actually exists within the province;" but this was merely declaratory, and, in point of law, did not constitute them rebels. No proclamation, on the part of the executive, had as yet been issued, to this purpose; and the commander-in-chief in America, instead of so denominating the actors on that occasion, had as-

signed a distant day for their submission, beyond which the guilt of treason was supposed to be incurred. This, therefore, might be considered by many, and even construed by a jury into an ordinary riot, in consequence of an affray between a detachment of soldiers and a body of the populace: even prudence, perhaps, in a case such as this, would preclude an appeal to a court of justice, as a verdict against the crown might have been accompanied with the most fatal effects.

However, in the course of time, the premier of that day exhibited greater boldness. No sooner did the majorities in parliament increase, by the aid of the country gentlemen, some of whom were seduced by the selfish hope of a reduction of the land-tax, and the then popular notion, that America was to contribute towards the burthens of the mother country, than stouter measures were recurred to. The Americans were then openly denounced as guilty of treason, and proclaimed rebels; while a severe retrospect was taken in regard to domestic offenders. On this occasion, no man appeared fitter to become a sacrifice, than one who had by turns opposed, and was discountenanced by all parties; and in whose fate, therefore, no public body could possibly be interested.

Having, accordingly, selected the victim,

the necessary measures for a prosecution were at length adopted, and the supposed delinquent, who was then peaceably eating his *commons* in the hall of the Inner Temple, and imagined that his misdeeds had by this time been forgotten, suddenly found himself within the iron grasp of the attorney-general.

This honourable, important, and ungracious office was then occupied by a singular character, Edward, soon after ennobled by the title of lord Thurlow. Although negligent of his studies during his youth, yet he was fortunate enough to acquire the reputation of considerable talents. Allured at length from indolence, by the Siren-voice of ambition, he suddenly attained professional and parliamentary eloquence, and his talents, proving fully commensurate with his station, soon justified all the hopes that had been formed of him. Bold, stern, inflexible, his sombre countenance was generally clothed in terrors. His look was calculated to appal the guilty, while, from his bushy eyebrows, he seemed to scowl dismay even on innocence. Yet, underneath this forbidding guise, he is said to have occasionally entertained sentiments of compassion; to have discerned and respected genius; and to have sometimes rescued obscure merit from the pressure of poverty and contempt,

He was at this moment placed on a professional eminence, whence he already discerned the seals, the ermined robe of authority, and the future honours that awaited him.

Become at length chancellor, he seemed to be clothed with frowns rather than with dignity; but in that character he is still remembered for the determined stand made in behalf of a king, while visited by the severest of all human afflictions; and the spirited assertion of the merits of his own order, in opposition to the spurious pretences of an equivocal ancestry, half royal and half meretricious.

Yet, on the other hand, he never distinguished himself either as a great lawyer or a great statesman. In the former capacity, he has not left any professional work, by which his name will be known hereafter; and in respect to the latter, it can never be said of him, as of one of his predecessors, that he was the author of a bill, every line of which was worth a subsidy; nor can it be affirmed, in the language applied to another, that he dispensed blessings by his life, and planned them for posterity.

Such was the man — such the great officer of the crown, with whom Mr. Horne was now destined to contend, and at a time too, when, replete with health and vigor, the former was

hastening for the goal, panting with expectation, and already anticipating those honours, which were now thickening around him*. It will be seen hereafter, that, when all the dreams of ambition had been gratified, and all political enmities had ceased, these two great men mingled in the pleasures of social life, and well knew how to appreciate the virtues and the talents of each other.

His judge proved to be William Murray, earl of Mansfield. This nobleman was now in the decline of life, for more than sixty winters had shed their snows upon his head; but the roses and lilies had not yet forsook his cheeks; and the lustre of his complexion was augmented by means of eyes that seemed to sparkle with genius. His person, if somewhat below the exact standard of beauty, was yet exquisitely formed; his motions were graceful; his dress neat, becoming, and appropriate. He also possessed a voice replete with music in all its various mo-

* A learned doctor of the church of England, happening to sketch his portrait, during a period of political intrigues, has perhaps undesignedly distorted the features. "Corpore ipse ingens, animi immodicus, verbis magnificus, et specie in animum magis quam sapientia validus, studia ad se optimatium illexit, eamque adeptus est auctoritatem, quæ homini novo profacundia esse posset," &c.—*Prefat. ad Bellend.*

dulations, and was environed with a certain appearance of dignity, that struck all beholders with awe and veneration.

Born in Scotland, and educated at Oxford, he was indebted to a variety of fortunate circumstances for his rise; and to the munificent friendship of an English nobleman *, for the means of pursuing and adorning his profession.

Certain incidental circumstances, early in life, led to attachments of an equivocal and dangerous kind: an elder branch of the family †, acted as the confidential secretary of the grandson of James II; and he himself was accused, in full parliament, by a peer ‡ of the realm, of having drank success to the pretender, on his bare knees.

Notwithstanding this, by the chance-medley of fortune, while the one brother was proclaimed a rebel, for his attachment to the pretender, the other became solicitor-general to the legitimate prince; and, in that capacity, after an eloquent philippic against treason, readily obtained the

* Lord Foley.

† Mr. Murray, of *Broughton*, the *titular* lord Dunbar, whose talents are said to have been superior to those of the earl of Mansfield. He is reported to have retained his estates, by making certain disclosures some time after the suppression of the rebellion.

‡ Lord Ravensworth.

condemnation of his cousin, lord Lovat, who, by turns, and as it suited his interests, had fought either for or against the reigning sovereign.

Praised and flattered by one of the greatest poets * of the age, he was ushered into the world, under the most anspicious circumstances; while an alliance with a powerful family †, gave him all that remained wanting to complete his career—influence, opportunity, and connexions. Accordingly, his rise was rapid; so that, having early in life attained the highest honours of his profession, he soon became the patron of those to whom he had been originally a client.

As a politician, notwithstanding the supposed bias of early habits, he at first adhered to Pelham and the whigs. On the accession of his present majesty, he joined a party of a different description ‡: but, on several occasions, both spoke and voted against the ministers. Once, and once only, his conduct as a peer attained a high degree of popularity, and was justly entitled to the claim of patriotism; for he opposed the two most shining characters § of that day, in their unconstitutional attempt to

* Pope.

† That of the earl of Winchelsea.

‡ The "king's friends."

§ Lords Chatham and Camden.

support the suspending and dispensing prerogative of the crown, in respect to the corn laws, when they themselves were in power.

As a judge, his singular abilities, his almost unbounded knowledge, his sudden and seemingly intuitive anticipations, added a kind of prescience to his character, that astonished all beholders, rendered him conspicuously eminent, and distinguished him from every great magistrate of that day. On the other hand, those very qualities, which constituted his chief excellence, were not unaccompanied with others of a different kind; and even seemed necessarily to arise out of them. His talent for discernment, occasionally rendered him too quick in his conclusions; that genius, which at one time enabled him to unravel error, and detect falshood, at another, made him rather hasty in his decisions; while a certain peremptory manner, acquired by the ascendency of his character, seemed to constitute him a dictator on that bench, where he ought only to have exercised a limited and concurrent jurisdiction.

The lord chief justice was accused of leaning towards those in authority. It was not a Horne, and a Junius alone, who propagated these opinions. Sir John Willes, who afterwards presided in the court of Common Pleas, many years

before, branded him as a tory, a jacobite, and a stickler for arbitrary power. Mr. justice Yates, one of the ablest and most incorruptible men of that day, not only dissented from his notions of law, but voluntarily left the court of King's Bench on that very account.

In respect to the doctrine of libels, which may be fairly considered as the *political* part of jurisprudence, he must be allowed to have *misdirected* juries, as the law now stands, and as it actually stood at that time, according to a great and distinguished authority *. The late declaratory act on that subject, introduced by Mr. Fox, was drawn up for the express purpose of overturning his doctrines. Some other parts of his conduct were said to be equivocal in the extreme. It was he, who afforded the first example of a judge altering a record at his own chambers †; at another time, he objected to, and removed a juror ‡, by a sudden and hitherto unprecedented act of authority; and, on a third occasion, he refused to execute the common law against the secretary of a foreign minister §, until forced by the spirited intervention of Mr. attorney-general Norton, and left in a minority on his own bench.

* Lord Camden.

† In the case of Mr. Wilkes.

‡ Mr. Benson, in 1771.

§ Count Brühl, in 1768.

His decisions, which are allowed to have not only been in general able, but uniformly just, when private individuals were the suitors, was once set aside for misdirection in point of law*. On another occasion, when the king's brother† was a party, he appeared to lean towards the crown; and, on a third — that of literary property — he seemed to shrink from the contest, for he did not rise in the house of lords to defend his own judgment against the reiterated attacks of lord Camden.

On the other hand, his character, in many particulars, stood deservedly high in the estimation of the public. While attorney-general, he gave up every *doubtful* point, because he would not compromise the honour of the crown. As a judge, he extended the operation of the common law, so as to obtain relief for the subject, in a variety of instances, without recurring to the ruinous expedient of an application to a court of equity; and, as a commissioner of the great seal, he heard the appeals in the house of lords with unexampled assiduity and dispatch; thus rendering justice, as it ought to be,

* In the action of Meares and Shipley, against Ansell, during the summer assizes for Surrey, in 1774, when his lordship admitted parole against written evidence.

† Duke of Cumberland.

both speedy and effectual, and preventing that misery, beggary, and disgrace, attendant on accumulated causes and protracted litigation. Nor ought it to be forgotten, that to him we are indebted for a new and important code *, ably conceived, methodized, and digested, which, on account of its wisdom and utility, entitles him to the gratitude of a commercial nation.

This nobleman, who had been rendered, in some measure, odious, by repeated attacks on the part of lord Chatham, and two pamphlets, by lord Camden and Mr. Dunning, all accusatory, as to a political bias, at length became irritated, and proceeded further in vindication of the supposed outrages against his character, than any of his predecessors had ventured, subsequently to the revolution. Accordingly, in the case of "A Letter on Libels and Warrants," in which his own conduct, as a judge, was impeached, he revived an obsolete mode of construing this into a *contempt of court*, so as to enable him to decide in his own case without the intervention of a jury. In this, however, he was foiled; and thus, for a time, laid himself open to the imputation of inclining to restore the practice of the star-

* The Lex Mercatoria.

chamber, without either power or resolution sufficient to enforce it.

Previously to the contest with Mr. Horne, a prosecution was commenced against the printers of the several newspapers who had inserted the obnoxious advertisement; and as they had determined not to appear contumacious, they, for the most part, threw themselves on the mercy of the court. No sooner, however, did this gentleman learn, that three of them were fined one hundred pounds each, and that an information had been filed against himself, as the author, on June 27, 1776, than he immediately waited on Mr. attorney-general Thurlow, to whom he observed, "that, as he did not mean to pay for a copy of the proceedings, he insisted on their being read to him." No sooner was this complied with, than he retired, after signifying his intention to plead his own cause in person.

The trial of Mr. Horne * took place at Guild-

* This was afterwards printed, with the following title:— "The Trial at large of John Horne, Esq. upon an Information, filed *ex-officio*, by his Majesty's Attorney-General, for a Libel, before the Right Hon. William Earl of Mansfield, in the Court of King's Bench; published by the Defendant from Mr. Gurney's short-hand Notes.

"'——— Nec bellua tetrior ulla est,
Quam servi rabies in libera collæ furentis.'"

hall, before the lord chief justice Mansfield, July 4th, 1777. On the names of the special jury being called over, it was found, that eleven only were present; Mr. attorney-general therefore prayed a *tales*. On this, the associate, taking out a paper from a box containing the names of the common jury, asked the defendant if he had any objection to that man's being sworn on the jury? Mr. Horne immediately replied: "I object to that name—and for this reason: I desire that the box may be shut, and shaken, and when that is done, I shall have no objection to any name." This proposition, which is strictly consonant with ancient practice, was immediately complied with.

After the jury had been sworn, the defendant rose to request the decision of the court concerning a point of practice, and, on being permitted, bespoke the attention of "the gentlemen of the jury;" on which, lord Mansfield observed, that "if he had any thing to say as to the irregularity of the proceedings, he must address himself to him;" but Mr. Horne persevered, and eventually overruled the objection, by explaining, that he meant not to appeal to the jury in behalf of his arguments, but that,

as he could never, like some, suppose them to be *out of court*, it was necessary to request their observance.

He then stated it "to be the usual practice and wholesome custom of the bench, in trials of this kind, that, unless the defendant examines witnesses in his defence, his answer closes the pleading; and it is not usual in that case, that the counsel for the prosecution should reply. But, my lord," added he, "in the late trials of the printers, for printing and publishing the advertisement now in question, I observed that Mr. attorney-general claimed and exercised the peculiar privilege of replying, notwithstanding that no witnesses had been called for the defendant."

On this, he was told, by the judge, "that if the suffering the attorney-general to reply is against law, it is an irregularity in the trial, for which the verdict will be set aside. You will have a remedy."

Mr. Horne.—"O, my lord! I have already suffered under your lordship's directing me to remedies. The most cruel of all poisoners, are those who poison our remedies. Has your lordship forgotten?—— I am sure you have not forgotten, that I have once before in my life had

the honour to be tried before your lordship for a pretended libel. My lord, this matter of reply I know full well to be the practice, not only from the intelligence I have had upon that subject, but from that very trial at Guildford, on the action brought against me by the present lord Onslow. My lord, I could then have contradicted his evidence. I will just mention two or three particulars in this case. It was the most scandalous one that ever came before a court. Your lordship cannot forget the particulars in that trial. I was prosecuted by him for a libel. On the first action which he brought, I obtained a nonsuit. Upon that, a fresh action was brought. To that fresh action (in order to try it in Surrey, where the plaintiff had his influence), in that fresh action, words spoken a year or two before were added —words of a different nature, and upon a different subject. We came to trial before your lordship; and I do remember some very strong cases (which, indeed, I intended to have published) of your lordship's practice in that trial. But, my lord, however impatient I may be thought to be, I am very patient under personal injuries. I have never complained of the practices used against me on that trial, nor of the mistakes (to speak gently) which your

lordship made. Your lordship then told me, as now, that I should have a *remedy* ——"

Lord Mansfield.—"If I remember right, you had a remedy there, for it was determined not to be actionable."

Mr. Horne. — "True, my lord; but the remedy was almost as bad as the verdict would have been."

Lord Mansfield. — "There must be an end."

Mr. Horne. — "Not of this objection."

On this, the presiding judge declared it,— "not to be in his power to deprive the prosecutor of his right to reply, if he sees cause to desire it;" and the attorney-general immediately addressed the jury, in a long and elaborate speech. He stated the present to be an information brought against Mr. Horne, for being *the original publisher of this libel.* "The circumstance of his name being printed at the bottom of the advertisement," added he, "is an additional aggravation in this respect, because it seemed to imply a bolder insult upon manners and decency, and the laws of the country, than the simple publication of that libel without a name, would have been. I do not mean to speak of it by way of derogation from the parts and talents of the ingenious gentleman — no doubt but he could have writ a better thing;

but his understanding was industriously let down, and suppressed; and the very purpose of this writing was, to make it ribaldry and trash. For the intention of it was (as it appears to me) nothing more than to defy the laws and justice of the country, proclaiming, as it were, thus: either punish this libel, or confess that there are no laws in a country by which a libel can be punished. Others have entertained sufficient malice against this country. Others have been anxious enough to excite sedition; but this is written chiefly for the purpose of telling mankind, 'thus I dare do; I dare insult the laws, without having any earthly thing to state to the public, except an insult on the laws!'

"Is it to be laid down for law, or a thing to be tolerated in a civilized country, that crimes of a most heinous sort shall be imputed to men by a public reviler in a newspaper, who yet dares not stand forth as an accuser? Is it to be tolerated in a country where an orderly government prevails, and while the form of government subsists, to write against the transactions of that government, as if stained with all the crimes under heaven, and calculated for no earthly purpose, but that of committing those crimes? To suppress liberty (the only object for which government is, or ought to be erect-

ed), to suppress that liberty by the means of murder, is imputed to the transactions of the government of the freest country now under heaven! and it is called liberty to do that! whereas men must be short-sighted indeed — a man must be drivelling like an idiot, who does not see that the maintaining of regular government is the true, the only means of maintaining liberty."

On the examination of evidence, on the part of the crown, the fact of publication was proved, and it appeared, that the defendant, on the present, as on all former cases, had left his name with the printer, in order that no innocent man might suffer on his account.

After this, Mr. Horne rose, and spoke as follows:—

"I am much happier, gentlemen, in addressing myself to you; and, I hope and believe, I shall be much more fortunate as well as happy, than in addressing myself to the judge. I have been betrayed, I hope, into no unseemly warmth, but yet into some warmth. I have felt myself like a man first put into hot water, but I have been long enough in it to be perfectly cool.

"I have listened to Mr. attorney-general's declamation with as much patience, and, I believe, with much more pleasure, than any one

in court. That pleasure I do acknowledge was personal, arising from the futility of the support which Mr. attorney-general has attempted to give to the serious charge which he has brought against me — a pleasure, however, mixed with some pain, when we consider the wretched times at which we are arrived — when a gentleman of his natural sagacity, is, I own, justified by recent experience for supposing it possible to obtain from a London jury, a verdict for the crown, upon a mere common-place declamation against scandal and indecency in general, without one single syllable of reason or law, or argument, applicable to the particular charge which he has brought against me, and which you are now upon your oaths to decide.

"As for the charge itself, you cannot be ignorant that I am accused of the only unpardonable crime which can, at this time, be commited. I am accused of a libel. Murder and sodomy, you know, gentlemen, have, in these our days, often found successful solicitors, and the laws against popery (though unrepealed, and in full legal force) are, when resorted to, thought, by the magistrate who presides here, too rigorous to be suffered to have their free course against a religion so destructive to the civil rights of mankind, and so favourable to absolute and

arbitrary power. But whilst that has been favoured beyond the laws, nothing beyond the laws has been thought rigorous and severe enough against the charge of libel. Murder, attended with the most aggravating circumstances, has been repeatedly pardoned; and treason, the blackest treason, against the family on the throne, and, what is of more consequence to us than any family, against the free constitution of this country, has been not only pardoned, but taken into favour; and the estates of convict traitors have been restored to them and to their families.

"Whilst mercy and forgiveness, gentlemen, have been thus flowing unnaturally, in a full stream, over the highest mountains of iniquity, has any one of you ever spied the smallest rivulet descending towards the valley of the libeller? Has any man so charged, ever yet met with mercy?

"If the nature of the crime, and the rancour with which it is pursued, afford a strong reason for your particular caution, and care, and attention, a much stronger reason indeed will be afforded you by the nature of the prosecution. It is called an information *ex-officio* — a very gentle expression for a harsh thing; for, if you examine the real force and consequence of

the term, as here applied, you will find it to contain every thing that can be imagined illegal, unjust, wicked, and oppressive. For my own part, I am astonished that any man, at this time of day, exercising such powers as are not according to law, and are much less according to reason, should talk to you with an open face, of integrity, of honour, of duty, of conscience; and that, instead of aggravating and showing you in what my crime consists, he has employed half his harangue in boasting of his own character. — *Ex-officio*, gentlemen, means, a power to dispense with all the forms and proceedings of the courts of justice, with all those wise provisions which our laws have taken to prevent the innocent from being oppressed by exorbitant and unjust power.

"An information means no more than an accusation, and by this means the attorney-general is enabled, contrary to the laws of the land, to accuse whom he pleases, and what he pleases, and when he pleases. And (if he pleases) he only accuses them, and never brings it to trial; he goes on harassing the subject with information upon information, if he pleases, and never brings that man to trial. If, however, out of his mercy, or out of his resentment, he does choose at last to bring him to trial, why, gen-

tlemen, he in general tries it by whom he pleases; nay, if he sees some reason to suspect that the verdict is likely to go against him, he claims a right to stop it if he pleases, without any decision, by withdrawing a juror. And if he loses the verdict, he pays no costs! But that is not all; for, if he has convicted six, seven, or eight men, for the same offence, he exercises the sovereign power of pardon; he calls to judgment which of them he pleases, and lets go such as he pleases.

"In the very first instance, contrary to express law, and, what is much stronger, contrary to the reason of that law, he has no recourse to a grand jury, although sir John Hawles says, 'the true reason of a grand jury is, the vast inequality of the plaintiff and defendant, and therefore the law has given this privilege to the defendant on purpose to make them equal in the prosecution and defence, that equal justice may be done between them. It considers that the judges, the witnesses, and the jury, are more likely to be influenced by the king than the defendant, and therefore it is that the law has ordered, that, at the king's prosecution, no man shall be *criminally* questioned (this is a criminal question), unless a grand jury, upon their own knowledge, or upon the evidence

given them, shall give a verdict that they really believe their accusation is true.

"I shall desire, by-and-bye, gentlemen, for your satisfaction and mine, to endeavour to find out, whether there is *one* man in the country who believes me guilty of the crime laid to my charge — a crime of that nature, that is to have a punishment, which is called, by the law, a temporary death, an exclusion from society. The apparent object of the prosecution is, to take what little money out of my pocket I may have there, and to imprison me, and to exclude me from the society of which I have rendered myself unworthy. However, I have the pleasure to see, that there sits a gentleman * by the judge who is now trying me, who, as well as myself, has charged the king's troops with murder. The judge and that gentleman have been laughing all the time of this trial; they have enjoyed each other's company exceedingly. —[*A great laugh, for some minutes, of the whole audience.*]

"But to return to my subject. If the ground of the charge happens to be, as this is, 'of all plain and simple matters that ever were laid before a court, the most simple,' it is a very strange circumstance that the attorney-general

* Mr. Wilkes.

should choose to have a special jury to try a thing in which there is nothing *special.* Special juries were never intended for that purpose, but to examine into merchants' accounts, or any critical and nice matter; and yet they are always made use of in matters of libel. But special juries are not fairly struck; they are not taken indifferently from a book; in my case, it might be called *picking,* rather than striking a jury. A sheriff's officer stands by the solicitor of the treasury, and if a name which they do not like turns up, this officer says, 'O, sir, he is dead—he is too old—he has become a bankrupt.'—I was told, in this manner, that Mr. Sainsbury, my tobacconist, on Ludgate Hill, had been dead seven months, and it was not until I observed that I had seen his name, that very day, on a committee for the Thames Navigation, that he was brought to life again, and placed on the list.

"But if, after all, the attorney-general loses the verdict, he pays no costs, while the miserable, innocent man, thus harassed, must stand by his costs, and they may be whatever the law officers of the crown please to make them. But this is not all; for, in case of conviction, he may aggravate the punishment. I was present in court when the judge who now tries me, told

the attorney-general, De Grey, when he moved that Mr. Wilkes might be committed to the King's Bench prison, 'the king's attorney-general may choose his prison: all the prisons are the king's.'

"But who is it that enjoys all these powers? It is the attorney-general; now, who is the attorney-general? He is said to be the king's officer; but he holds his office by a very precarious tenure: his future hopes are greater than those of any man in this country; his fears, therefore, must be in proportion. But he is the officer of the minister, not of the crown. There sits a gentleman in this very court who should now have been attorney-general *, (he lost not the place for want of abilities,) who refused to take a brief for the crown in this very cause, because he thought it scandalous, at the distance of two years and a quarter; he is an instance of the doctrine, that if the minister goes out to-morrow, out goes the attorney-general. The attorney and solicitor-general sit in the house of commons, on each side of the premier — his two brazen pillars, the Jachin and Boaz.

"Gentlemen, the particular unfairness of *this* prosecution strongly demands your attention.—

* Mr. Dunning, afterwards lord Ashburton.

The advertisement, now brought before you, was published on the 19th of June, 1775. Observe, too, the charge is not any harm that it has done, but only *a tendency*. What! come two years and a quarter afterwards to prosecute for a tendency to mischief. Appeals for felony, for rape, and for murder, must be brought within a year and a day. Good God! if twenty years shall prescribe for treason — if forty or sixty years for a landed estate — if six, for a single contract debt; if one year for appeal in case of rape — shall not the mere tendency of an insignificant libel in a newspaper (if it was a libel, but it is not) — shall not that be permitted a two years' prescription?"

After this, Mr. Horne took occasion to notice something that had dropped from the attorney-general, about "not knowing him;" and remarked, that this very person had solicited his acquaintance, through the medium of a common friend*, then in court, and that they had sat together from half past eight in the evening to an hour considerably beyond midnight. He added, that on a question† being asked, why

* Mr. Dunning.

† Most probably this related to his advocating the cause of Mr. Wilkes.

he had acted a certain part; "I told the gentleman, in the year 1768, that there was a particular sect of religion, which of all others was most abhorrent from my principles and way of thinking; but, I observed, persecute them to-morrow, and I will declare myself of that sect the next day." This passed long before the *wicked* advertisement alluded to; long before I could foresee that the Americans were to be treated as they have been.

"Every action in which I have been concerned has steadily been upon one and the same principle; I have never had occasion to support a friend or an acquaintance, to promote an election, or to vote, or to do any thing for any particular connexions; they have always been absolute strangers to me, and men taken up on the footing of oppression. Friends!—— Yes, if friendship received from me could make them my friends. But friends! No, if any friendship received from them was necessary to make them so. My motive has been constantly the same: I know no American.

"Gentlemen, I have been more concerned in my library, than I have with the commerce of men in the world; and I read there, when I was very young, that when Solon was asked which was the best government, he answered——'where

those who are not personally injured resent and pursue the injury or violence done to another, as he would do if done to himself.'—That he said was the best government; and he made a law empowering men to do so. Now, gentlemen, we are happier, we are under a better government; for our laws enjoined us to do what he only empowered men to do. By our laws the whole neighbourhood is answerable for the conduct of each: our laws make it each man's duty and interest to watch over the duty of all. This principle and duty has been represented in me as a malice. It is the only malice they will ever find about me. They have in no part of my life found me in any court of justice, upon any personal contest or motive whatever, either for interest, or profit, or injury. But to return, in this matter of charging the king's troops with murder, there is a very striking circumstance; and that, too, I suppose the attorney-general will have forgotten. It is well known, that, amongst other oppressions and enormities that gave me pain, murders (without any contest and dispute) committed and pardoned gave me much. I caused the soldiers in St. George's Fields to be prosecuted—*the king's troops*—for murder. I took them up. It was called no libel by the then attorney-general; they were tried for murder; I did intend

to have told you how they escaped — but they were charged with murder, and that, not only in a court of justice: I advertised it with my signature.

"It is notoriously known, that I charged the murder on the king's troops by name. It was not thought a libel; it was thought a very great affront; for these troops had been thanked, in the king's name, for their alacrity on the occasion. What then, if the king's name had been used to thank men for their alacrity, what then? There was murder committed; I saw it with my own eyes; I saw many barbarities committed; I might have been among the slain. Soon after that, Mr. Stanley, a considerable officer in the state, moved, in the house of commons, for an act of parliament, to take away from the subject the right of appeal in the case of murder, because I had caused appeals to be brought; that is, I assisted the parties who brought them. This motion was supported by Mr. Selwyn. Mr. Dyson, a lord of the treasury, declared himself to be entirely of their opinion; while the attorney-general, in his support of that motion, had reviled the right of appeal in the subject for murder, as a *Gothic custom!* Why gentlemen, so are all the rights and liberties, and valuable laws, which we have; they are all Gothic!

But this was to be plucked out from amongst the rest; and because it is *Gothic*, that men shall be punished for murder, because it is a shackle on the king's mercy, murderers are not to be punished!

"Gentlemen, this attempt has a near affinity with this prosecution of me, for a libel against the government, for charging the king's troops with murder. I beg your attention to the matter; for you see they have got farther now in their system and their doctrines; and the mere charging the king's troops with murder is to be considered as a seditious libel against the king and government! The king's troops shall not be charged with murder! Observe, then, what follows: the king, perhaps, will not pursue; the subject shall lose his right of appeal; and you shall not even dare to say, that the king's troops have committed murder.

"I am told it is not for any of those charges about subscription, payment, collection, &c. of a sum of money, that I am prosecuted; but for charging the king's troops with murder — there the attorney-general said, 'he put his finger.' I have not charged the king's troops with murder: there is not any such assertion in the advertisement. Indeed, suppose the charge to be true; others had charged the king's troops with

this murder nine days and more before my advertisement. The charge was authenticated in the most formal manner: original affidavits taken on the spot, were lodged with the lord mayor of London. The charge was not anonymous; it was signed by the agent of the province where the murders were committed: it was signed by Mr. Arthur Lee; he publicly avowed it every where.

"But, gentlemen, although I did not make the charge in the advertisement, to save trouble, I am willing to have it so understood: I do again make it now. Suppose then, if you please, that I have charged the king's troops with murder. Well! what then? How follows the libel against the king and the *government?* The charge against me now is, that I have charged the king and the *government* with murder. But is that, which is meant to support the information, to be found in the advertisement? Does every man, that says a soldier has committed murder, involve the king and government?

"Gentlemen, I must entreat you to recal to your memory, in what light military execution has always hitherto been considered in this country. — I refer you to the military execution at Glenco; and I published the pamphlet on this subject, that all the world might see it,

"On a commission of inquiry being instituted, they reported, that the slaughter of the men at Glenco, was a BARBAROUS MURDER; and, after this, the parliament of Scotland voted it a BARBAROUS MURDER! Now, then, gentlemen, I must beg you to compare that doctrine concerning Glenco, (which has never been arraigned,) with this doctrine of the attorney-general concerning the soldiers at Lexington. But you will be told, that it was no murder, because there was a necessity for it . . . . . Lord Stair said the same for Glenco. But the king's troops are now taken out of the equality with other subjects; and yet I have learned from Mr. justice Atkins, 'that some judges are of opinion, that before a trial or presentment, or acquittal, *modo legitimo,* no action upon the case for slander will lie; it not being,' he says, 'ripe for it till an acquittal. By the same reason,' he says, 'it is not ready for an information, which is but the king's suit — the reason being the same in both.' So that if this be true, this prosecution, gentlemen, is too soon as well as too late: too soon, because it precludes the inquiry into the fact, 'whether murder or not, and too late, for the reasons I have already given.'"

After the examination of some witnesses on the part of Mr. Horne, and the attorney-general

refusing to be interrogated by him as to matters of evidence, the latter commenced his reply, which was long, laboured, and able. At the conclusion, the jury withdrew about five o'clock in the afternoon, and returned into court, half an hour after six, with a verdict, that the defendant was "guilty."

On Wednesday, November 19, 1777, the attorney-general moved for judgment, on which Mr. Horne arose and offered his reasons against it.

"My lords," said he, "I cannot mention what I have to say in arrest of judgment, without first acknowledging the obligations which I have, and the thanks which I owe, to my prosecutor and to my judge; for it is to them and to the arguments which they used, in order to obtain a verdict from the jury, that I am indebted for the arguments which must prevent the judgment. At the same time, it is but justice in me to declare, that, whatever ill-founded doubts might, at the beginning of the trial, have harboured in my mind concerning any personal enmity, hostility, or prejudice towards me, before the close of the trial they were all entirely effaced; for enmity is not a supine and careless, but an active and curious principle, prompting men to neglect nothing which may tend to pro-

duce the desired mischief. And your lordships, I am persuaded, will see reason to believe with me, that, so far from any common diligence having been used against me, neither my prosecutor, nor my judge, nor my jury, had ever so much as once cast an eye over the information brought against me; for your lordships will instantly perceive, by looking at the record, that I am not therein charged with any crime.

"After bespeaking the attention of the jury, I, with a view to this, desired them to take the information out of court with them. But, my lords, when I heard the reply of Mr. attorney-general, and the address of the judge to the jury, I was no longer at a loss to understand how it happened, that I could not see in the charge against me, that criminal matter which they imagined it to contain; for I then heard, for the first time, that there was an insurrection or rebellion in the colony of Massachuset's Bay; that certain persons — and those persons denominated king's troops — were employed by his majesty and by the government, for the purpose of quelling that insurrection or rebellion; that in this their employment and service, an engagement ensued between the said rebels or insurgents, and the king's troops so employed; that in this engagement certain of the said insurgents

or rebels were slain by the said king's troops; and that my advertisement, and the charge of murder, said to be contained in it, related to the said insurgents or rebels so slain by the said king's troops so employed.

"Now, my lords, though the Jury did, through want of attention, forget to consider, that these circumstances were neither proved nor charged, your lordships, I am sure, who are to look to nothing but to the record itself, will not fail to consider, that no indictment or information can be cured or made good by any implication, argument, supposed notoriety, or intendment whatever.

"Nothing can be assumed or intended against me but what is expressed in the record itself. If, therefore, in the whole range of possible occurrences, there can any one be imagined, in which it would not be criminal to say, that the king's troops, (no technical term, my lords, *troupeaux* — flocks — companies — even deserters may be comprehended under that term) — if, therefore, any one possible occurrence can be imagined, (and I suppose there are a great many; the judge, who tried me, helped me to some, above twenty) — if any one can be imagined, in which it would not be criminal to say, that the king's troops have committed murder, then your lordships cannot,

upon this information, proceed to judgment, because the information wants those necessary averments, which cannot, by any means, be intended; for your lordships will find, by looking at the record, that, in each of the various counts which this information contains, it is simply averred, that I did write, and print, and publish, and cause and procure to be written, and printed, and published, to the tenor and effect following."

After a reply from the attorney-general, and some observations from lord Mansfield, the latter said, "let him (Mr. H.) be committed." Mr. Horne, who had before refused to urge any thing in extenuation, until the decision of the court had told him something criminal existed, immediately retorted "Will your lordship commit me, before it appears whether I am even accused of any crime?"

Lord M. "No; then you may come up on *Monday*. — You came voluntarily now?"

Mr. H. "I did."

Lord M. "Then come up voluntarily again. If you should find any precedents on either side, I wish you would give them to us."

Mr. H. "I am not very likely to produce precedents."

On Monday, November 24, lord Mansfield,

after reading some evidence before omitted by him, and quoting two precedents, pronounced the opinion of the court, "that the information was sufficient." On this Mr. attorney-general spoke in aggravation of the libel; he was replied to by the defendant, who declared, "that evidence could not supply the defects of the information," and avowed, that, though their lordships' judgment was to be pronounced upon himself, he should attend to hear it, with the indifference and curiosity of a traveller;" and he added, what he had before openly stated on the trial, "that he had an employment, which would confine him in his room, longer than their lordships would dare to confine him!"

"My lords," added he, "the attorney-general has talked to you of my patrons. I have had in my life, and very early in life, the greatest of patrons; ay! with all their power, greater than any that now hear me. My lords, I renounced my patrons, because I would not renounce my principles; repeatedly, over and over again, of different descriptions, and in different situations. I am proud, because I am insulted; or else I certainly should not have held any of this language.

"The attorney-general, through a blameful carelessness, has told you a story of a theologi-

cal, polemical dispute, between myself and a parishioner. I never had such a dispute—no theological disputes that ever I read of, and I have endeavoured to read all that ever happened, ever interested me in the manner that the present disputes do interest me. I never was made to be a martyr. I have opinions of my own, but I never intended to suffer for them at the stake.

"My lords, he has endeavoured to insinuate that all that I wrote, and all that I said, was for the sake of a paradeful triumph over justice; and he has talked again and again of the mob. But the mob have conferred no greater favour on me than the attorney-general. I have been repeatedly followed by very numerous mobs in order to destroy me, single and alone, for a great length of way; not once, or twice, or three times, but four or five times; two or three thousand at my heels. I am sensible of the ridicule of the situation, even when I mention it. These are the only favours I have ever received from the mob; these are the only favours that I have ever solicited; and I protest to your lordships I would much rather hear the mob hiss than halloo: for the latter would give me the headache, the first gives me no pain. My lord," addressing himself to the earl of Mansfield, "I have heard of those who have expressed more

wishes for popularity than ever I felt. I have heard it said, and I think it was in this court, that they 'would have popularity; but it should be that popularity which follows, not that which is sought after.' My lords, I am proud enough to despise them both. If popularity would offer itself to me, I would speedily take care to kick it away.

"As for ambition and bodies of men, and parties, and societies, there is nothing of it in the case. There is no body of men with whom I can think, that I know of. There is no body of men with whom I am connected. There is no body of men from whom I expect help or assistance. My lords, I have already appeared in this situation often enough; and if I had, as has been asserted, any luxury, or pleasure in holding myself forth in public; it would long before this have been satisfied. There are many other things which I might say to your lordships; but as I trust, and fully trust, that I shall find a remedy, my lords, against the present decision, I must forbear saying one syllable in extenuation of what the attorney-general has been pleased to charge me with; and leave your lordships to pronounce your judgment without the least consideration of me; without the smallest desire that you should abate a hair from what you

think necessary for the justice of the country. I shall leave it entirely to your lordship's discretion."

Immediately after this, Mr. justice Aston pronounced the sentence of the court, which was, that the defendant "do pay a fine of two hundred pounds, and be imprisoned for the space of twelve months, and until that fine is paid, and that he do find securities for his good behaviour for three years, himself in four hundred pounds, and two sureties in two hundred pounds each."

From that sentence Mr. Horne appealed by means of a *writ of error*, in 1778, to the highest tribunal known to the laws of this kingdom. Mr. Dunning, who had refused on the former occasion to accept of a retainer from the crown, was now employed as counsel for the prisoner. He had already given it as his opinion, that the objection suggested by Mr. Horne, was insuperable and fatal, and, calculating too nicely on a supposed defect of resolution on the part of the presiding judge, he had declared in private, "that, whatever might be lord Mansfield's wishes on this occasion, he would not dare to over-rule it." Finding himself mistaken, he resolved to combat manfully for his client. Accordingly, in his argument at the bar of the house of lords, he proved the non-existence of

the most hostile of the two precedents relied on by the lord chief justice; both of these, indeed, appeared to have been abandoned there, and the description and existence of the crime, actually turned, as will be seen hereafter, on a nice grammatical question, relative to the precise meaning of two or three words in the text!

END OF VOL. I.

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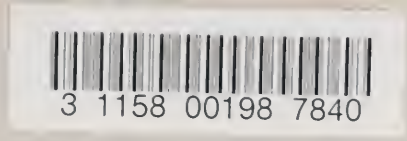
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